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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum*

GEORGIA

[Original: RUSSIAN]
[25 August 1997]

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* Annexes can be consulted in the files of the Secretariat.

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INTRODUCTION

1. This is an initial report prepared in accordance with articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, and reflects the current situation as regards implementation of the Covenant in Georgia. It covers the period from August 1994 to the end of June 1997.

2. To prepare this initial report of Georgia on the implementation of the International Covenant on Economic, Social and Cultural Rights (hereafter: "the Covenant"), a temporary working group comprising representatives of various Ministries and government departments was set up by order of the State Minister. The core document was prepared by the same group.

3. Material submitted by State legislative and executive authorities and the Association of Georgian Trade Unions, material from the mass media and sociological research was used in compiling the report. The delay in submission of the report is due to the lack of a permanently operating department specializing in the preparation of State reports.

4. An official translation of the Covenant into Georgian was produced in 1994. Since the text has not been published in a large print-run, however, it remains inaccessible to the general public. Excerpts from basic United Nations human rights instruments in Georgian, Russian and English have been published in a limited run in Ajaria. Hence the Covenant has not been properly circulated among law-enforcement, judicial and non-governmental human rights bodies. Accordingly, Presidential Decree No. 284 of 3 June 1997, "Measures to afford greater protection for human rights in Georgia", calls for the publication of a compilation of the principal international human rights agreements, including the Covenant. The Georgian Supreme Court has been recommended to ensure that Georgian courts actively apply international human rights standards (Decree, paragraph 9).

5. The Constitution (article 6.2) states that Georgian legislation shall conform to the generally recognized principles and standards of international law. Provided they are not inconsistent with the Constitution, international treaties and agreements to which Georgia is a party take precedence in law over domestic legislation.

6. Broadly speaking, the Georgian Constitution encompasses the full range of rights covered by the Covenant. At the same time, it does not repudiate generally recognized human and civic rights, liberties and safeguards that are not mentioned within it (article 39). Constitutional guarantees of the rights provided for under the Covenant are discussed in the commentaries on the respective articles of the Covenant in this report. (For the right to self-determination, see the commentary on article 1 of the Covenant.)

7. This report contains no commentary on article 14 because free, compulsory primary education is provided for under the Constitution (article 35.5) and is unfailingly applied in practice throughout the country.

8. Anti-discriminatory principles underpin a number of constitutional provisions:

(a) On equal rights for Georgian citizens in social, economic, cultural and political life irrespective of their language or national, ethnic or religious affiliation (article 38.1);

(b) On the equality of all before the law irrespective of race, skin colour, language, sex, religion, political or other views, national, ethnic or religious affiliation, origin, estate or social status, or place of residence (article 14); and

(c) On the equal socio-economic development of the entire country (article 31).

9. The Constitution states that everyone lawfully within Georgia is free to choose his place of residence, to move within the country and to leave the country (articles 22.1, 22.2). Aliens and stateless persons have the same rights and duties as Georgians except as otherwise provided by law. Georgia affords asylum to aliens and stateless persons in accordance with the procedure established by law. The extradition of refugees facing prosecution on political grounds or for an activity not regarded as a crime in Georgia is prohibited (article 47).

10. According to the Aliens (legal status) Act, an "alien" is a citizen of another State or an individual who is stateless. Aliens in Georgia are equal before the law without regard to their origins, social status, estate, race, nationality, sex, education, language, religion, political or other views, spheres of activity or other circumstances. Georgia protects the lives, personal inviolability, rights and liberties of aliens legally in Georgian territory.

11. Aliens living in Georgia have the same rights to work and leisure as Georgian citizens, but are not entitled to hold jobs that by law may be taken only by Georgian citizens.

12. Aliens also have the right: to health care and social welfare; to own personal property and to inherit and bequeath property; to receive an education on the same footing as Georgian citizens; to cultural values, to use their native tongues, and to preserve and promote their national cultures and traditions; to take part in civil (non-political) associations; and to freedom of religion.

13. Aliens have the same rights as Georgian citizens in matrimonial and family matters. They may exercise intellectual property rights over academic works, artistic creations, inventions and so forth. The Constitution does, however, reserve the right of the State to impose restrictions on aliens' and stateless persons' political activities (article 27).

14. From 1994 up to the submission of this report, the Georgian Parliament passed the following laws governing aspects of human rights covered by the Covenant:

- Administrative Offences Code and Marriage and Family Code (amendment) Act - 17 March 1994;

- Civil Associations Act - 14 June 1994;

- Invalids Welfare Act - 14 June 1994;

- Psychiatric Assistance Act - 1 May 1995;

- Constitutional Court Act - 31 January 1996;

- Consumers' Rights Act - 20 March 1996;

- Land for Farming (ownership) Act - 22 March 1996;

- Displaced Persons Act - 28 June 1996;

- Families of Persons who have Died for the Territorial Integrity, Freedom and Independence of Georgia, have Disappeared without Trace, or have Died of their Injuries (welfare) Act - 27 December 1996;

- Trade Unions Act - 2 April 1997;

- Minimum Subsistence Level (regulations for determining) Act - 17 April 1997;

- Medical Insurance Act - 18 April 1997; and

- Civil Code - 27 June 1997.

I. Article 1

15. The State confirms its respect for the right to self-determination, believing that its exercise can take a number of forms. What these forms have in common is that the principles governing citizenship are the same in all cases, and that the individual lifestyles of the minorities living in the country are guaranteed.

16. Georgia's respect for the right of peoples to self-determination is reflected in its policy on national minorities. Article 38 of the Constitution proclaims Georgian citizens to be equal regardless of their linguistic, national, ethnic or religious background, among other considerations. At the same time, in accordance with universally recognized principles of international law, minority rights must not be exercised in a manner inconsistent with Georgia's sovereignty, State system, territorial integrity or political independence.

17. Equality of all citizens before the law, irrespective of their nationality or race, is guaranteed by the Citizenship Act (article 4).

18. Representatives of 94 different nationalities live in Georgia. The country has developed an infrastructure that helps national and ethnic minorities to express their own identities in language and culture.

19. The State finances the publication of official newspapers in Russian (Svobodnaya Gruzia), Armenian (Vrastan) and Azerbaijani (Gyurjyustan). Newspapers are also published, by private individuals and non-governmental organizations, in Greek, German and Russian. The country has around 400 national schools - Russian, Azerbaijani, Armenian, Abkhaz, Ossetian etc. - in operation.

20. There are two professional Russian theatre companies and an Armenian drama company in the Georgian capital. A Russian editorial and production team works alongside the Georgian team on the television, and besides the Georgian and Russian teams, the radio also has an Armenian and an Azerbaijani team.

21. Under the Civil Associations Act (14 June 1994), cultural/ethnic societies of all the larger national groups living in the country operate in Georgia. Their principal aim is to support and promote the distinctive lifestyles and cultures of ethnic minorities. These societies (associations) also engage in charitable and civil-rights work. Under articles 7 and 8 of the Act, such civil associations are entitled to band together in unions of various kinds, to be members of international non-governmental organizations and so forth.

22. The essence of State policy on national minorities is reflected in the celebration of Citizens' Day, which is to be observed every year from 1997 onwards. This should help to consolidate the civilian world, to extend the principles of citizenship throughout the country, and to affirm the cultural values of all nationalities living in Georgia.

23. Unfortunately, the general economic crisis has affected the operation of the minority cultural infrastructure and the degree of support - financial in particular - it receives from the State.

24. One factor that adversely affects the degree to which minorities participate in the life of society is their poor command of the national language. This is true in particular of concentrations of minorities living in the regions. The State faces the crucial problem of arranging teaching in Georgian for non-Georgians, and this is often associated with physical and organizational difficulties (shortage of schoolbooks for national schools, problems retaining staff locally).

25. There is some confusion over the procedure and practice of using minority languages for contact with the authorities in areas with concentrations of minorities. Georgia has not yet held elections to local authorities and has passed no law on local self-government. Local power, even in areas with concentrations of minorities, is exercised by leaders appointed from the centre.

26. Plans for a federal State system, seen as essential to full, autonomous regional development, are under discussion. This will help members of minority groups to exercise their economic, social and cultural rights.

27. The right to self-determination has also been safeguarded by the existence in Georgia of autonomous entities - the Abkhaz and Ajari Autonomous Republics and the South Ossetian Autonomous Region. Autonomy for Abkhazia and Ossetia was established on ethnic grounds, and for Ajaria on religious ones: the ethnic Georgians living in Ajaria are traditionally Muslim.

28. As the Union of Soviet Socialist Republics fell apart, separatist trends developed in two autonomous entities, Abkhazia and South Ossetia. The course of events led to armed conflicts - in both cases, political opposition that took the form of ethnic resistance.

29. These conflicts serve to show where a radical interpretation of the right to self-determination may lead if an individual ethnic group, rather than the entire demos, seeks recourse to it, and what practices may be the accompaniment: ethnic cleansing in both regions, reaching the scale of genocide in Abkhazia. The outcome has been thousands of dead and hundreds of thousands of people internally displaced. The State has temporarily lost jurisdiction over the areas concerned.

30. The separatist regimes are in difficult economic and political straits, being internationally isolated de jure and de facto. They are guilty of gross violations of human rights, and have become breeding-grounds for crime.

31. As this report was being prepared, attempts were being made with the United Nations and the Organization for Security and Cooperation in Europe (OSCE) support to settle the conflicts peacefully. Georgia's position on the question is one of using bilateral talks to secure conditions in which Abkhaz and Ossetians can exercise their rights to the maximum in the existing State setting, while respecting the principles of national unity and territorial integrity. This approach is consonant with the acknowledged standards of international law.

32. Georgia's efforts are supported by the United Nations and OSCE. The notion of territorial integrity coupled with extensive autonomy runs like a thread through all United Nations resolutions on the Abkhaz problem. OSCE has put together a package of proposals for settling the South Ossetia issue.

33. The principle of separation and reciprocal delegation of powers underpins the constitutional law on the internal territorial arrangement of the country which, in accordance with article 3 of the Constitution, is to be passed once the territorial integrity of the country has been restored. The same article defines those matters which are to be dealt with exclusively by the supreme national bodies, with the proviso that matters relating to joint administration will be determined separately.

34. Article 4 of the Constitution anticipates that the right of peoples to self-determination will be exercised: when the appropriate conditions obtain throughout the country, the Parliament will consist of two chambers - the Council of the Republic and the Senate. The Senate, in particular, will

comprise representatives elected in Abkhazia, Ajaria and other territorial entities. The status of South Ossetia is the subject of talks taking place under OSCE auspices.

II. Article 6

35. The right to work is enshrined in articles 30 and 32 of the Constitution, which proclaim labour to be free. Following international agreements, the State helps jobless citizens to find work and defends the labour rights of Georgian citizens abroad.

36. The labour sphere is governed by the Employment Act passed in 1991. This states that:

(a) all Georgian citizens have the right to work, irrespective of their race, nationality, sex, religious convictions, political views or property status;

(b) conditions favouring the fullest possible employment and reduction in unemployment shall be established;

(c) the unemployed shall be guaranteed social welfare;

(d) the State authorities, trade unions and producers' associations (unions) shall cooperate in devising, enacting and monitoring measures in the employment field;

(e) international contacts in the employment field are to be expanded.

37. Georgia is a party to the following ILO Conventions:

- No. 29, Forced Labour Convention;
- No. 52, Holidays with Pay Convention;
- No. 98, Right to Organise and Collective Bargaining Convention;
- No. 100, Equal Remuneration Convention;
- No. 105, Abolition of Forced Labour Convention, 1957;
- No. 111, Discrimination (Employment and Occupation) Convention
- No. 122, Employment Policy Convention;
- No. 138, Minimum Age Convention;
- No. 144, Tripartite Consultation (International Labour Standards) Convention, 1976.

38. It should be noted that, legislatively and practically, employment policy has never been discriminatory, although Georgian legislation contains no provisions governing forms of employment or working conditions. There are,

however, restrictions on, for example, women's work and work by juveniles (see under article 10 in this report). In general, the body of legislation governing the employment sphere is incomplete and still in the formative stage.

39. The labour market in Georgia is in disarray owing to structural changes in the economy and problems during the transitional period, on the one hand, and inadequate State regulatory machinery, on the other. In consequence, it is difficult to give a full picture of how the right covered by this article is exercised.

40. Correspondingly, it is not possible to trace how the situation in this sphere has developed. Georgia's situation 10 years ago, when its economy was a component part of the unified economic machinery of the USSR, cannot serve as the yardstick for an objective assessment. Data from five years ago are likewise not very reliable because of disruptions in the statistical service's accounting and reporting mechanisms and the mediocre state of its technical facilities at that time.

41. The labour market in recent years has shown a marked tendency for both demand for and the supply of labour to decline. Between 1991 and 1996, the workforce shrank from 3,161,000 to 3,034,000. The number of people employed in the economy fell from 2.7 million to 1.7 million. This was chiefly due to a decline in natural growth and extensive emigration. Over 50,000 people from rural areas alone emigrated in search of work in 1996.

42. At the end of 1996, about 45 per cent of the inhabitants of Georgia were economically active. Employment has declined in particular in certain production sectors: industry, construction, transport and communications. Employment in industry fell from 497,000 to 284,000 between 1991 and 1996; in construction it declined from 226,000 to 90,000, and in transport and communications, from 103,000 to 55,000. Things are rather better in trade and services and in the non-production sectors.

43. Yet a substantial number of people with jobs are in concealed unemployment, or not working full time: people notionally at work but in fact on protracted leave without support (ranging from months to years). There are over 300,000 such workers.

44. As the number of people at work has fallen, the scale of unemployment has grown. Owing to inadequate labour-market regulating machinery, it is not possible to put a precise figure on unemployment. Assessments by the State Department of Socio-economic Information put it at roughly 600,000 to 650,000 (20-25 per cent of the workforce).

45. Relatively few unemployed people are registered with the employment service. There were 65,000 in this category on 1 January 1997. The virtual absence of information about job vacancies at the employment service, the token value of unemployment benefit and the impossibility of finding suitable jobs for the substantial proportion of applicants who have a college-level education may be the reasons (see under article 9 in this report).

46. Georgia has a developed system of specialized secondary and vocational/technical education. In 1996, for instance, over 6,000 students were taken on at specialized secondary educational institutions offering training in 306 specialist skills for 32 different industries, and 11,005 pupils entered vocational/technical schools where they are being taught 101 different skills. There is, however, no system of career-change guidance or retraining as such for people who have lost their jobs.

47. Women are especially poorly protected in the employment sphere. Some 292,400 women have no jobs. The high level of unemployment among women can be explained in part by the halt in operations in light industry and the food and chemical industries, traditionally "female" sectors. Many women lost their jobs in the reforms of the health and education sectors. Research by sociologists into the problems of unemployment has shown that female participation in entrepreneurial activity is extremely low.

48. Unemployment among the under-25s is high, at three times the national average (for more details about women and young people, see under article 10 in this report).

49. A State job-creation programme has been drawn up and is expected to be approved by the Government in the third quarter of this year. It calls for jobs to be created in both the State and the private sector by attracting State and private investment and foreign capital. Some 2-3 million lari from the Single State Employment Fund will be mobilized every year for this purpose. Indicative targets for up to the year 2000 show that by the end of the millennium unemployment in Georgia should stand at 5 per cent, the best figure among any of the Confederation of Independent States countries.

III. Article 7

50. The transition from a command economy to a system of market relations is proving painful. Output levels have fallen sharply, budget revenues have shrunk and living standards have declined.

51. The situation for the general public deteriorated in particular following the introduction in 1993 of a temporary means of payment, the coupon. The issuance of coupons and credits, and frequent wage adjustments at a time when goods were in short supply, fuelled inflation and brought about a fall in real incomes. At the most critical period (September 1993-1994) wages fell as a proportion of the minimum subsistence level (a selection of 134 goods and services for a man fit for work) from 25.2 per cent to 0.07 per cent. The minimum wage declined by 80 per cent.

52. To restore some order to wage levels, a single wage grid for organizations financed out of the budget was drawn up and introduced in 1994. On 5 September 1994 the Cabinet of Ministers adopted order No. 631, "New conditions of employment for workers in the budget-financed sector based on the single wage grid". This assigns budget-sector workers to a grade between 1 and 22, depending on their duties and skills.

53. There is no established minimum wage since, for the moment, there is no minimum wage act. There is only a minimum level of remuneration, corresponding to grade 1 on the single wage grid, which at present stands at 9 lari. Grade 1 is generally for unskilled workers. According to the latest figures, there are about 2,500 such in the budget-financed sector. Heads of Government ministries and departments are in the top grade, with a remuneration of 25 lari.

54. The single wage grid determines the official remuneration of people working in the executive and other budget-financed organizations (education, culture, health care and so forth). It does not cover the pay of people working in legislative or law-enforcement bodies, nor in the forces.

55. The pay of budget-sector workers is determined centrally, due account being taken of the rationalization of budget revenues and the structure of governmental bodies. Self-supporting organizations and businesses resolve pay-related questions by means of labour contracts and collective agreements. The principle of equal pay for equal work is observed. Discrimination on grounds of nationality, sex or any other characteristic is banned.

56. "Basic guidelines on wage regulation, 1996-2000", designed to secure compliance with the international obligations that Georgia has undertaken, have been drawn up and approved with a view to a better, more orderly wage system. If the State is to pursue a wages policy, the legislative groundwork must first be laid. Work is now in progress on a labour code, a wages bill, a collective contracts and agreements bill and a minimum wage bill.

57. While the legislative groundwork is laid, the tax grid is undergoing improvements. To provide greater labour incentives, a tax coefficient that takes account of the difficulty of a job is being introduced and the relationships between wage ranges have been optimized. Multi-level collective agreements will be brought into play to regulate the wages of hired labourers.

58. The first steps have been taken towards wage reform, which seeks to establish sharper wage differentials. The wages of individuals in high State office (heads of ministerial departments and higher) were raised in September 1996, helping to keep them in their jobs and offer them a material incentive. The increase affected 5,000 employees. A minister's salary, for example, rose by 25 lari to 145 lari. For the purposes of salary levels, members of Parliament are assimilated to ministers.

59. Economic reform in Georgia has recently led to an easing in the economic situation. Prices have stabilized and inflation has slackened, with positive effects on the welfare of the general public, whose real incomes have begun gradually, albeit very slowly, to rise. Family incomes were up 40 per cent in 1996 over the year before, and the proportion of families below the poverty line fell by 15 points (from 80 per cent to 65 per cent). The minimum subsistence level indicates some improvement: in particular, the minimum wage rose as a proportion of the minimum subsistence level from 6 per cent to 9.8 per cent in 1996, and the average wage rose from 23 per cent to 38.2 per cent. In the course of a single year average wages throughout the

country increased by 220 per cent: in the budget-financed sector by 320 per cent, and in the non-budget sector by 180 per cent (figures from the Ministry of Social Welfare, Labour and Employment).

60. In spite of the overall upward trend, real incomes in absolute terms do not meet generally accepted standards. There are, besides, significant differences in income levels between urban and rural dwellers. Analysis shows that whereas in urban areas monetary incomes and wages amount to 40-45 per cent of total income, they account for no more than 20-24 per cent in rural districts. One of the main reasons for this is the difficulty of selling farm produce.

61. According to the figures available, 65 per cent of the population is still below the poverty line. Average wages in the economy are 35 lari ($27), while the minimum subsistence level for the average consumer is 92 lari ($70.70), and for a male fit for work, 104 lari ($80). Incomes are extremely unevenly distributed among population groups. The richest 20 per cent receive 57.3 per cent of total income, while the poorest 20 per cent receive only 2 per cent (Ministry of the Economy figures).

62. Georgia is working on labour protection and safety in the work environment. The State Labour Inspectorate was set up by the Ministry of Social Welfare, Labour and Employment in 1995. Its tasks include ensuring compliance with labour legislation, labour protection and other such regulatory instruments at all enterprises regardless of their form of ownership, and coordinating the activities of supervisory and monitoring bodies in the labour legislation sphere.

63. According to the Inspectorate's figures, 155 accidents occurred at work in 1995, 7 of them fatal. Altogether 57 accidents were recorded in 1996, 6 of them with multiple victims (20 people were maimed). Over the course of the year a total of 97 workers were injured, and 46 incidents proved fatal.

64. To lay the legislative groundwork in the labour protection area, bills on labour protection and the reporting and investigation of accidents at work have been put before Parliament. A forward-looking programme of urgent labour-protection measures up to the year 2000 has been drawn up and put before Parliament.

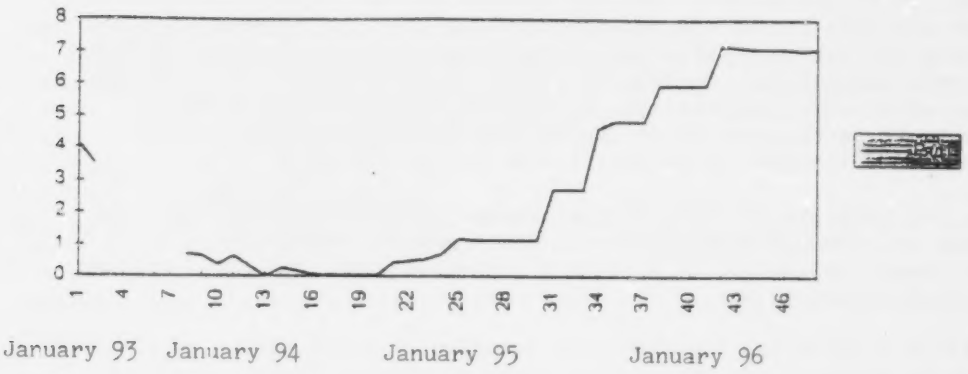
65. The Labour Code states that all workers are supposed to have annual paid vacation of at least 15 working days' duration. On request, a worker may also be granted unpaid vacation. The length of vacation varies according to the workload, the nature of the work and working conditions. Within the foreseeable future there are plans to extend the minimum duration of paid vacation to 24 calendar days. A 40-hour working week with 2 days off is standard throughout the country.

66. The Labour Code provides for work to cease on public holidays of which, under article 64, there are 12. The only kinds of work permitted on public holidays are those which cannot be interrupted on technical grounds (enterprises, institutions and organizations that work around the clock), vital public services, and urgent repairs, maintenance, loading and unloading.

67. Work on public holidays is paid at double rates: piece-workers at double piece rates; workers paid by the hour or the day, at double time; monthly paid workers receive the standard rate for the hour or day on top of their salaries if the work on the public holiday constitutes part of their normal monthly hours, or double the standard rate on top of their salaries if the work entails extra hours. People working on public holidays may at their request be granted another day off in lieu.

TABLE 1

CHANGES IN MINIMUM WAGES, 1993-1996 (DOLLARS)



Note: The break in the "curve" denotes an absence of information.

IV. Article 8

68. Georgia has 28 industry-specific trade unions together uniting over 20,000 grass-roots organizations with a total membership of 1.4 million. All these unions are members of the Association of Georgian Trade Unions. In late 1995, by decision of the Association's Congress, district and urban associations of trade unions were set up, their members being the industry-specific organizations in each particular district or town. The country has 79 such associations. The union associations of Abkhazia and Ajaria, and two national councils - the one that manages the trade unions' resorts, and the one that runs Shevardeni, the national athletics and sports club, also number among Georgia's trade unions.

69. The Association of Georgian Trade Unions has raised the question of Georgian accession to two ILO conventions, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). It has active bilateral contacts with unions in many other countries.

70. The Association of Georgian Trade Unions is a member of the World Federation of Trade Unions, the Confederation of Black Sea Basin Unions and the Association of Central Asian and Turkish Trade Unions. It has applied for admission into the World Confederation of Free Trade Unions.

71. Under article 26 of the Georgian Constitution, "everyone has the right to create and join public associations, including trade unions". This right is not subject to any restrictions other than those established by law. The Constitution (article 26.3.6) prohibits the creation and activities of entities whose goal is to overthrow or change the Constitutional order of Georgia by force, or violate the country's independence or territorial integrity or advocate war and violence, or attempt to inflame ethnic, racial, social and national divisions. The activities of such organizations may be halted or banned only by court order under a procedure laid down in organic law.

72. The Georgian Parliament passed the Trade Unions Act, based on key ILO principles, on 29 April 1997. The Act defines unions' objectives and tasks: to protect workers' labour and socio-economic rights, to promote employment, to undertake collective bargaining, to conclude collective agreements and monitor their application, to help to settle labour disputes, to monitor compliance with labour legislation, to protect labour and the working environment, to participate in the privatization of State property, to participate in collegiate management bodies and so forth.

73. The Act (article 5) declares that unions and associations are independent of, and not accountable to, State bodies, organs of self-government, employers and employers' organizations, political parties and political organizations.

74. Article 2 makes the creation and operation of trade unions in the Armed Forces, State security and Ministry of Internal Affairs forces, procuratorial, judicial, tax inspection and customs bodies subject to laws specifically devoted to the operations of the services concerned. It also states that unions may be established to cover a particular industry, plant, area or profession. Article 8 authorizes cooperation between unions in Georgia and other countries.

75. The Civic Associations Act took effect on 14 June 1994. It sets out the premises, purposes and principles governing the creation and activities of civic associations, trade unions included, as independent, voluntary civic organizations.

76. Under the Act, civic organizations, including trade unions, must register when they are formed. Registration may be refused only if an organization's charter is inconsistent with the Constitution or legislation in force, and the refusal is subject to appeal before the courts. If the grounds for refusal cease to obtain, a renewed application for registration may be made (article 16). The procedure for closing down a civic association, including a trade union, is governed by article 17, which states that the association's affairs must be wound up by its assembly, conference or congress, or - in the event of a violation of its charter or a breach of the law - by decision of the courts upon application by the registering authority.

77. Under articles 7 and 8, civic associations are empowered to join unions of various kinds, take part in international civic associations and so forth. Articles 217 and 218 of the current Labour Code also guarantee citizens' right to form and join trade unions. There are provisions in the legislation that make it a crime to obstruct the activities of trade unions.

78. The Constitution (article 33) recognizes the right to strike. The procedure whereby this right is to be exercised is laid down by law, which also establishes safeguards for the operation of vital services. Article 46.1 of the Constitution says that during states of emergency or martial law the President is empowered to restrict certain rights and freedoms, including the right to strike, throughout the country or in any part of it.

79. Georgia does not yet have any law specifically governing the procedure for settling labour disputes (conflicts), of which strikes are one form. The Trade Unions Act (article 13) grants unions the right to organize strikes in order to defend workers' labour and socio-economic interests. It is up to the courts to decide whether protests organized by trade unions are legitimate or not (article 28).

80. There is a provision in the Civil Service Act (article 14.10) that limits the right to strike, prohibiting State employees from taking part in actions that hamper the operation of State bodies. For the time being, Georgian legislation contains no other restrictive provisions in this sphere.

81. Georgian workers exercised the right to strike without restriction even before the Trade Unions Act was passed. For instance, during the reporting period there were local strikes by teachers in Tbilisi and Kutaisi, metro and railway workers and miners in Tkibuli, and steel foundry workers in Zestafoni. All were economically motivated.

82. The first-ever general agreement in the history of Georgia's trade unions was signed in 1995 between the Government and the Association of Professional Trade Unions.

83. There exist both objective and subjective factors that hamper the practical application of legislative provisions governing trade unions. While output is falling sharply and most enterprises and institutions are either not working or working at less than full capacity, a freely entered-into deal in the form of a collective agreement between an entrepreneur and a trade union ceases to be effective. This adversely affects the activities of the unions themselves.

84. All in all, the trade union movement in Georgia has not yet emerged from a protracted crisis. This is partly due to lingering perceptions of it among the general public as a hangover from the Soviet past, a formal organization dependent on the authorities. According to official figures, union membership has declined by 1.2 million over the past year.

85. The Association has put in numerous property claims to the Government. According to statements by its leaders, the State is appropriating or using union property in breach of the existing legislation and without the unions' approval. As an example they cite orders by the Cabinet of Ministers dated

18 June 1991 (No. 497) and 30 April 1993 (No. 482) which placed the Gruzkurortstroi (leisure resort construction) group under the authority of the Ministry of Architecture and Construction. On 30 August 1994 a building belonging to the trust was transferred by order of the Head of State to the Security Service, etc.

V. Article 9

86. The Constitution contains individual provisions governing various specific aspects of the right to welfare, including social insurance. Article 37.1 states: "Everyone is entitled to health insurance as a means of obtaining medical assistance. Medical care shall be provided free of charge under certain circumstances as established by law."

87. Article 32 of the Constitution indicates that the conditions for provision of a minimum standard of living and the status of the unemployed are to be determined by law. Article 36.3 contains guarantees of mothers' and children's welfare.

88. Georgia has a State pension system that offers the following kinds of support: old-age pensions; invalidity pensions; industrial accident benefits; neonatal benefits; support for needy families; and monetary support in the event of illness.

89. Benefits for forcibly displaced persons, victims of natural disasters and so on are distributed by the Ministry of Refugees and Settlement. Medical care is under the authority of the health-care system (for details of medical care, see under article 12 in this report). Unemployment benefits are paid out of the Single State Employment Fund.

90. The current single State Social Insurance Fund (SSIF) is financed by transfers from enterprises and organizations (27 per cent of payroll) and employees (1 per cent of wages). Of the 124,449,000 lari nominally assigned to the Fund in 1996, 11,035,100 lari were actually paid in. Other sources of income for the Fund are insurance contributions, mandatory insurance contributions and profits from cut-price travel vouchers etc.

91. The Fund's own revenues amounted to 69,314,000 lari (62.8 per cent), and transfers from the central budget to 41,021,100 lari (37.2 per cent). Actual disbursements in 1996 amounted to 109,103,400 lari, including temporary disability payments of 1,464,900 (1.3 per cent) and support for children aged under 16-18 of 7,793,400 lari (7.1 per cent). Altogether 93,918,300 lari were spent on pensions (86 per cent), 226,800 lari on excursion tickets for pensioners (0.2 per cent) and 2,906,000 lari on preventive health care (2.7 per cent).

92. Total confirmed revenues for SSIF in 1997 are put at 107,282,000 lari, of which 32,718,000 lari will come from the central budget (9.75 per cent of the finances for the entire social sphere).

93. The retirement age was raised by five years with effect from February 1996, to 60 for women and 65 for men. To take account of difficult or dangerous working conditions, a list of occupations has been drawn up to which advantageous pension conditions apply, including a lowering of the retirement age by between 5 and 10 years.

94. Figures for 1996 show Georgia with 1,104,700 pensioners, 613,128 of them women. Old-age pensioners number 763,915, and holders of invalidity pensions, 213,756. There are on average 1.3 pensioners per family. Altogether 104,917 individuals in 79,120 families which have lost their breadwinners receive pensions on grounds of incapacity for work.

95. An old-age pension is at the moment worth 9.8 lari, or 12.8 lari for those who fought in the Second World War and persons assimilated to them. Of this, 1.3 lari is automatically deducted to pay for electricity consumption. Concerning changes in pension levels over the past 10 years, it must be borne in mind that Georgia has twice changed its means of payment: until February 1993 pensions were paid in Soviet roubles, then until November 1995 coupons were used, and now payments are in lari. One thing is clear: year after year the purchasing power of pensions has fallen steadily, and today it represents only 10.5 per cent of the minimum subsistence level.

TABLE 2

CHANGES IN PENSIONS (DOLLARS), AUGUST 1993-DECEMBER 1996

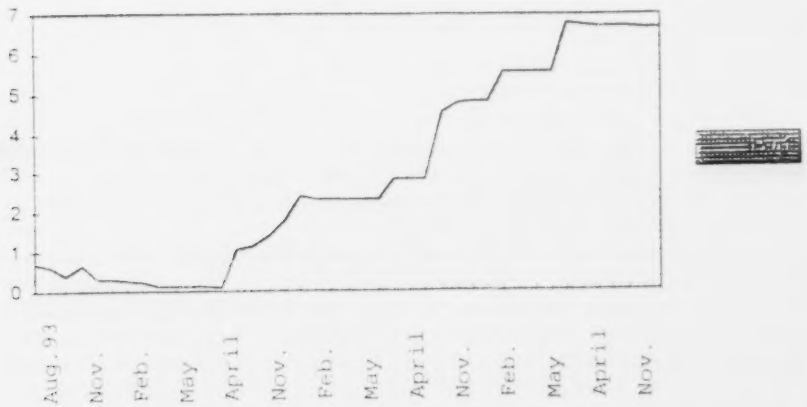
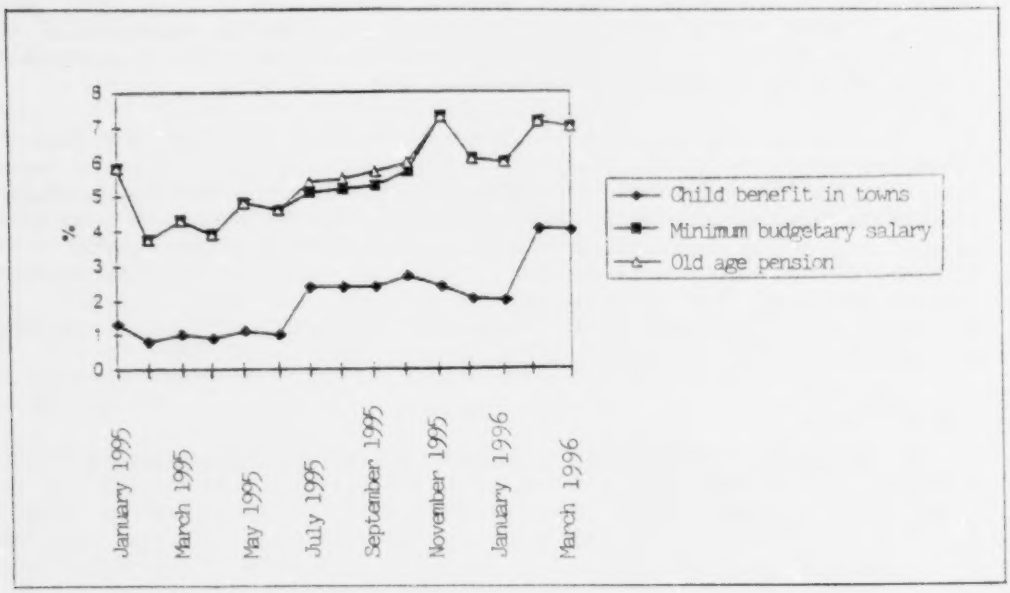


TABLE 3

WAGES AND BENEFITS (CHILD BENEFIT, MINIMUM WAGE, OLD-AGE PENSION)
AS A PROPORTION OF THE MINIMUM SUBSISTENCE LEVEL



96. Pensioners and invalids receive monetary benefits, housing and communal services on advantageous terms, and free travel on urban overground electrically powered public transport, all as part of a single package.

97. The question of welfare is complicated by the fact that cumulative transfers to SSIF are manifestly inadequate, owing to forced stoppages at many enterprises and organizations. Hence it is for the time being impossible to introduce a system of pensions that vary in accordance with length of service, remuneration, awards and so forth.

98. Georgia has as yet no law on pensions. A narrower piece of legislation - the Armed Forces, Internal Affairs Organs and State Security Personnel (retirement pensions) Act - took effect on 5 November 1996. It has been financed since March 1997 out of the budgets of the government departments concerned. The average pension in the Ministry of Internal Affairs system, for instance, is 60-70 lari.

99. Under the Temporary Disability Compensation Act of 21 February 1997, benefits are payable by the employer for 30 calendar days in a year, and by the social insurance fund in the event of more protracted disability.

100. As of 1 January 1997, under Presidential Decree No. 843 of 25 December 1996 entitled "Social (family) assistance", a new type of assistance has been introduced for families consisting of pensioners not capable of working and unemployed persons. The resources required come from the central budget. During the current year, 120,000 families will receive 15.8 million lari under this heading. A family of one person receives 9 lari, a family of two, 7 lari per head, and families of three or more, 5 lari per head. In connection with the introduction of family benefits, child allowances have been abolished as of 1 January 1997.

101. Under the Decree, social assistance for families is not available to families that possess an allotment conforming to the established standards, for it is felt that they receive an income from the allotment and do not belong in the category of the unemployed.

102. In all, 3.8 per cent of the population of Georgia, mostly living in the towns, receives such assistance. The assistance does not extend to large families or to single mothers, who do not fall within the specified categories. There are plans to establish benefits for them, too, in the very near future.

103. On 14 June 1995, the Georgian Parliament passed the Invalids (social welfare) Act, which meets all the requirements of the United Nations Declaration on the Rights of Disabled Persons dated 9 December 1975 and resolution A/48/96 of 20 December 1993, "Standard Rules on the Equalization of Opportunities for Persons with Disabilities". Presidential Decree No. 665 of 14 October 1996 endorsed the State welfare, medical care and social rehabilitation programme for invalids for the years 1997-2000. Some 9 million lari are earmarked under the State budget for invalids' welfare.

104. Several social rehabilitation models have been developed for invalids. People disabled since childhood, for example, who work either for the State or in a commercial setting are not subject to income tax. They are also exempt from communal charges.

105. Work-from-home and sports programmes (special sports) for invalids are being put into effect this year. Throughout the country, social and psychological rehabilitation and career guidance/work adaptation centres are being set up for invalids, and free transport is being instituted for invalids in categories I and II.

106. Besides their State pensions, individuals disabled as a result of an injury at work receive a benefit from the enterprise or organization where they were injured. The size of the benefit is determined by the degree of work disability suffered, based on an average worker's earnings.

107. Unemployment benefits are paid for six months. For the first two months individuals receive 9.8 lari, for the third and fourth month, 7.8 lari, and for the fifth and sixth months, 6.8 lari. The benefits are paid out of the Single State Employment Fund, which is financed by enterprise contributions of 1 per cent of payroll. The State budget for 1997 has earmarked 1 million lari for the pursuit of an active job placement policy.

108. Georgia has 273,000 internally displaced persons from Abkhazia and 14,000 from South Ossetia. It passed a Displaced Persons Act on 28 June 1996, defining the status of displaced persons in Georgia, offering them legal, economic and social safeguards and protecting their interests.

109. Under the Act, displaced persons are offered the following kinds of social security:

- the right to use State transport free of charge to travel and move their effects to their temporary abode when they leave the conflict zone;

- the right to reside in their temporary abodes and use communal services free of charge;

- free care at State medical institutions;

- State financial and concomitant assistance.

110. Displaced persons have been given food aid in the form of a variety of products: 11,777,016 kg in 1995, 8,461,287 kg in 1996 and 2,291,335 kg in 1997 (first quarter). Displaced persons receive 8.5 lari per month. The State pays 1.3 lari per person per month to displaced persons housed in the private sector.

111. One-off financial aid of between 50 and 200 lari is payable upon application to displaced pensioners needing serious care and to the neediest cases. Additionally, when a displaced person returns to his or her permanent home (once the reasons for having to leave it no longer obtain), the State will undertake to rehabilitate all his or her property.

112. The Families of Persons who have Died for the Territorial Integrity, Freedom and Independence of Georgia, have Disappeared without Trace, or have Died of their Injuries (welfare) Act was passed on 27 December 1996. It lays the organizational, economic and legal foundations of social security for such families and defines State policy towards them.

113. Welfare benefits for families of persons who have died for the territorial integrity, freedom and independence of Georgia, have disappeared without trace, or have died of their injuries extend to the following family members: parents, regardless of age; unremarried spouses; minor children, schoolchildren and students; and other family members who, being unfit for work, were being supported by the deceased (disappeared) individual.

114. Besides the normal welfare benefits available under the legislation in force, the families of persons who have died for the territorial integrity, freedom and independence of Georgia, have disappeared without trace, or have died of their injuries are entitled to: transport and burial of the body of the deceased; pensions and State aid; preferential treatment in respect of essential and communal services and service in shops, and transport on preferential terms; assistance in finding employment (including preferential hiring for skilled jobs at State institutions, and preference when jobs are cut), training, retraining and improved working conditions; use of means of

communication and attendance at cultural institutions, shows, displays and sporting/recreational events on preferential terms; and housing provision out of turn.

115. Welfare for families in the above categories includes the following benefits:

- payment of 100 per cent of wages in the event of temporary incapacity for work, irrespective of length of service;
- assistance from the local budget for housing repairs;
- preference in acquiring land;
- permission to cut (a set quantity of) their own firewood;
- exemption from land tax;
- guaranteed non-expulsion from work-associated hostel accommodation unless housing is provided in lieu;
- exemption from housing and communal service charges;
- the right to acquire essential items and goods and products in high demand from special shops, sections and departments;
- out-of-turn provision with drugs, hospital and other medical care;
- a single free voucher per year for travel to and accommodation at a sanatorium or rest home;
- free use of urban and inter-city transport within Georgia;
- free use of air and rail transport (outward and return) within the Commonwealth of Independent States in connection with essential medical treatment, on the basis of agreements concluded by the Georgian Ministry of Health;
- the right to procure tickets for all forms of transport out of turn.

116. A monetary benefit of 5 lari per family member is payable every month. International humanitarian organizations provide assistance to pensioners, invalids, nursing mothers, pregnant women, needy families and so forth. In 1996 they supplied humanitarian aid in the form of essential goods and items to tens of thousands of pregnant women, nursing mothers and children under five.

117. That same year, a particular category of pensioners (the neediest, living alone) also received assistance from humanitarian organizations. They numbered 153,548 - 14 per cent of the total pensioner population.

118. In spite of the financial stabilization and a certain increase in incomes, the opportunities to provide social security and insurance for the general public remain very limited. The country will thus continue for some time yet to need international assistance in giving effect to its citizens' right to social security, including social insurance.

VI. Article 10

119. Georgia is a party to the Convention on the Rights of the Child (accession, 2 July 1994) and the Convention on the Elimination of All Forms of Racial Discrimination (accession, 25 November 1994).

120. During the reporting period it acceded to the following ILO Conventions: No. 100 (Equal Remuneration Convention), No. 102 (Maternity Protection Convention), and No. 139 (Minimum Age Convention).

121. Article 36 of the Constitution states: "Marriage, as a voluntary union, is based on the equality of the spouses. The State supports the welfare of the family. The rights of mothers and children are protected by law."

122. The concept of "family" implies a voluntary matrimonial union of a man and woman, registered with the appropriate State bodies, with the ensuing property and non-property-related rights and obligations (raising of the children, joint running of the household etc.).

123. Georgia has a Marriage and Family Code. Articles 3 and 4 of the Code establish that the man and the woman have equal rights in family matters and that citizens have equal rights in family matters. Article 5 declares that the family is under the protection of the State; it also guarantees that motherhood will be defended and encouraged.

124. The Code stipulates that the mutual consent of the parties entering into a marriage is essential for the creation of a family, and that the parties must be of marriageable age, defined in Georgia as 16 for both men and women. Polygamous unions, marriages between relatives in direct descent, between parents and their adopted offspring or between legally incompetent persons are not permitted (article 18). Marriage and family relations are legally regulated by the State alone (article 6). The State raises no obstacles to marriage in a religious ceremony, and indeed such marriages have become more widespread in recent times.

125. Sections III and IV of the Code govern in detail the rights and obligations of parents as regards the upbringing of their children, specify maintenance obligations and so forth. The inviolability of personal and family life is also safeguarded under the Georgian Penal Code (articles 141, 143) and the Code of Criminal Procedure (article 10).

126. A new Civil Code was passed on 27 June 1997; family law is one component (Book V). A provision allowing for a marriage contract is one innovative feature.

TABLE 4

NUMBER OF MARRIAGES IN GEORGIA
(per 1,000 population)

1989	7.0
1990	6.7
1991	7.0
1992	5.5
1993	4.9
1994	3.8
1995	4.0

TABLE 5

NUMBER OF DIVORCES IN GEORGIA
(per 1,000 population)

1989	1.4
1990	1.4
1991	1.4
1992	1.0
1993	0.7
1994	0.5
1995	0.5

127. As the tables show, the number of marriages has fallen from year to year although recently there has been a tendency for it to increase. This can probably be associated with some positive developments on the socio-economic front. Divorce has become rarer. Evidently, families have become closer-knit as the crisis has advanced. As regards social security for families, see under article 9 in this report.

128. Georgian legislation contains provisions to the effect that men and women should be equal in the enjoyment of all civil and political rights. Only a tiny proportion of women, however, are in leadership positions in the legislature or executive: only 16 women are members of Parliament (6.4 per cent of the total membership); a woman is Minister of Environmental Protection and Ecology; five are deputy ministers (of culture, education, communications and posts, finance, and health care) and one is the chief of a district administration.

129. Unemployment is higher among women than men. This is partly due to the shutdowns in the traditionally "female" light, food and chemical industries. Many women lost their jobs during the reform of the health-care and education sectors. Research into unemployment problems has revealed that women show extremely little involvement in entrepreneurial activities.

130. At the suggestion of the Georgian Women's Council, an association to foster women's employment, Amagdari, was set up in March 1996. Its objective

is to provide work at home for unemployed, socially unprovided-for women, to create new jobs by setting up small businesses, to increase women's competitiveness and orient them more towards the labour market, vocational retraining, and economics and business studies, and to design social and vocational rehabilitation mechanisms.

TABLE 6

EDUCATIONAL LEVELS AMONG MEN AND WOMEN
(Percentages)

	Men	Women
Primary	16.2	10
Specialized/technical secondary	60	68
Higher	15.6	16.8
No education	8.2	5.2

131. As will be seen, educational levels in Georgia are higher among women than men. Women represent 39 per cent of the technically educated population (1995 figures). At the same time, two thirds of working women have not increased their qualifications since getting married. Most women occupy jobs that are not commensurate with their education. The market economy can lead business managers to refuse to hire women on a variety of pretexts.

132. According to sociologists, working women have scant leisure: most of their free time is taken up with housework. Men spend 50 to 70 per cent less time on housework.

133. There is no firm evidence of significant violations of women's rights in Georgia. It may be assumed that violations occur in the non-State sector of the economy, given the paucity of legislative controls.

134. The numbers of recorded sexual assaults on women are small. According to Ministry of Internal Affairs data, these have not exceeded 40-50 cases annually for many years. Most such offences are brought to light. There are, however, no reliable statistics on violence towards women and children in the conflict zones while military action was taking place. Neither is there any entity that could undertake the physical, psychological and social rehabilitation of victims of violence, including sexual violence.

TABLE 7

NUMBERS OF ABORTIONS
(per 100 live births)

1989	70.9
1990	61.2
1991	47.1
1992	49.2
1993	52.9
1994	62.3
1995	-

135. The fall in the numbers of abortions in 1991-1992 is striking. This was the peak of the national liberation movement, when one of the slogans called for an improvement in the demographic situation in the country. The limited use of advanced contraceptive methods can be explained by the general public's lack of awareness of their advantages and application, and by the fact that there is no consistent public information effort on the subject.

136. Chapter XII of the Labour Code governs women's working conditions, placing maximum emphasis on the protection of mothers and children.

137. Among other things, the Code: limits nighttime and overtime work and business travel by women (article 157); requires pregnant women and women with children under 18 months to be transferred to lighter duties (article 158); and stipulates pregnancy, perinatal and maternity leave (article 159). Women may not be employed in harmful or dangerous conditions or in tasks requiring them to carry weights exceeding their physiological capabilities, etc.

138. The Code also stipulates:

- pregnancy and perinatal leave of 70 calendar days before and 56 calendar days after giving birth;

- leave for women who adopt newborns;

- breaks for feeding children;

- additional, unpaid, leave for mothers with children under the age of three. This leave counts towards overall uninterrupted length of service and towards accumulated seniority within an occupation (article 161); and

- safeguards governing the hiring and prohibiting the dismissal of pregnant women, women with children under three, and single mothers with children under 14 (if invalid children, under 16) (article 164).

139. By law, an individual is considered to be an adult upon attaining the age of 18. Under the Constitution (articles 28, 49, 70), on reaching the age of 18 a citizen is entitled to participate in referendums, elections to State

bodies and local organs of self-government; he or she also becomes liable for military service. An individual may found or join a trade union at the age of 15. He or she may be elected to Parliament at the age of 25.

140. Individuals become criminally responsible at the age of 16; in the case of the gravest offences, however, the age limit is lowered to 14.

141. A special chapter (Chapter XIII) of the Labour Code regulates working conditions for young people. The regulations cover:

(a) the age at which young people can be employed: 14, with a parent's consent, to perform light work without detriment to their health or their education, or 16 in normal circumstances (article 167);

(b) a working week of 36 hours for workers aged between 16 and 18, and 24 hours in a week for those aged between 15 and 16 (and schoolchildren between 14 and 15 during the school holidays).

142. The Code also specifies:

(a) benefits for young people as regards job protection, working hours, vacation etc. (article 168);

(b) jobs in which people under 18 may not be employed (heavy work, work in harmful or dangerous conditions, work underground: a list is established by legislation) (article 169);

(c) that people under 18 may not be employed in nighttime or overtime work (article 171), etc.

143. The situation as regards social assistance for young people is, unfortunately, not entirely satisfactory. All monthly child benefits were abolished in September 1994. Until that time there had been four kinds of benefit: upon the birth of the child, for children up to 18 months, for children from 18 months to 6 years, and for children under 16. Some benefits were restored in 1995 but abolished again in December 1996 because of the introduction in January 1997 of a new kind of family assistance (see above).

144. The deteriorating socio-economic situation in the country has seen the emergence of children begging. The State is especially concerned at the growth in juvenile crime and the spread of drug addiction among the young. For the situation in the education system, see under article 13 in this report.

145. The State is taking steps to remedy the current situation as regards maternal and child health. Maternal health and child health and breastfeeding programmes are among the most important components of the State's health-care programmes (for the status of the children's and women's health-care system, see under article 12 of this report).

146. For example, the budget for the child health programme has been set at 7 million lari. Planned efforts are expected to reduce infant mortality throughout the country by 30 per cent.

147. State programmes to combat juvenile delinquency have been in operation since July 1996, and a programme of improvements to the way children are looked after at special and boarding schools has been running since December 1996. "The Future of Georgia", a Presidential Programme extending up to the year 2000 and including segments on "Leaders for the 21st century", "Future Olympic sportsmen", the "Young Academy" and "New names" has been in operation since January 1997. There are over 10 non-governmental organizations working to protect mothers and children in Georgia.

VII. Article 11

148. The crisis that broke in 1991 has had an extremely harmful effect on living conditions. Wage incomes in the State sector have declined in both relative and absolute terms. The minimum wage fell from 70 roubles ($107.70) in 1986 to 9 lari ($7) in 1996, and average wages from 197.90 roubles ($304.40) to 35 lari ($28). Wages have declined sharply as a proportion of the subsistence minimum. Whereas, according to figures for August 1992, the minimum wage in the budget-financed sector then accounted for 34.5 per cent of the subsistence minimum for men in jobs of strenuousness categories I and II, by the end of 1994 the proportion had fallen to 2.1 per cent.

149. Pensions and other forms of social security have shrunk. Pensions fell from 70 roubles ($107.70) in 1989 to 9.8 lari ($7.80) in 1996; child benefit fell from 35 roubles ($53.80) to 5 lari ($3.90) in the towns and 3 lari ($2.30) in the countryside. As mentioned above, child benefit has been abolished as of this year in connection with the introduction of the programme targeted at the neediest families.

150. Inflation and price liberalization raised consumer prices in March 1992 to 12.8 times the level of the same period the previous year; in 1993 the increase was by a factor of almost 76. Prices for food items rose especially rapidly.

151. Over the ensuing period retail prices for light industrial products, everyday and household items rose fairly smartly. All these items sold mainly for Russian roubles, and the rate of price increases for them was therefore low by comparison with that for food items. Passenger transport and communal services were notable for retaining relatively stable prices.

152. Reforms in the health-care system - the shift to a payment-for-service system with high fees that could not be justified in relation to people's incomes - also adversely affected living standards.

153. Although the programme to hasten and stabilize reform was carried out in very difficult economic circumstances, analysis of the past few years unambiguously indicates that it was successful. Several positive trends go to show this. In particular, when true (or near-true) prices and charges had been set for bread, natural gas and electricity, urban transport and communal services, there was enough of a background to refine the pricing system overall, set prices at real levels and move on to the stabilization phase.

154. As a result of the financial stabilization and the economic upturn in 1995-1996, income patterns showed a positive shift. According to figures

for December 1996, average wages for workers in the Georgian economy reached 35-38 lari: 27 lari in the budget-financed sector, and 45 lari in the non-budget sector. In the private sector, average wages fluctuated between 120 and 140 lari. Since, according to figures for December 1995, average monthly wages for people working in the Georgian economy were then 15.7 lari, and 9.4 lari in the budget-financed sector, the progress towards increased monetary incomes is obvious. Overall, these advances are in line with the parameters laid down in the indicative plan for socio-economic development 1996-2000 and in the President's pre-election economic programme, which were 25.2-32 lari and 22.8-30 lari respectively.

155. In spite of these positive shifts, living-standard indicators remain very low. According to figures for December 1996, the minimum wage in the budget-financed sphere amounted to 8.6 per cent of the subsistence minimum for a man fit for work, and 9.8 per cent of the minimum for the average consumer; the average wage amounted to 26.0 per cent of this figure. Although wages have tended to increase as a proportion of family income (from 14 per cent in 1994 they have risen to 37-40 per cent), they are still far short (approximately 75 per cent) of the level of the early 1990s.

156. Alternative sources of income are highly significant in the pattern of incomes among the general public. The most important of these are income (in cash or kind) from privately-tended allotments, income from a variety of secondary occupations, assistance from relatives and friends, sales of personal effects, rental of property and humanitarian aid.

TABLE 8

ALTERNATIVE SOURCES OF INCOME ACCORDING TO A POLL TAKEN IN JULY 1995
(survey by the State Department of Socio-Economic Information, Tbilisi)

Source of income	Percentage of families receiving such income in April, May and June 1995	Average income (United States dollars)
Sale of home or flat	14	1 441
Sale of smaller items	16	104
Assistance from friends and relatives	20	90
Savings	5	58
Charity	2	19
Income from savings (interest)	1	15
Student grants	2	1
Interest on loans	0.2	30
Rental of property	3	29
Other sources	5	56
TOTAL	68.2	

157. State Department of Socio-economic Information figures indicate that the number of households in Georgia with incomes below the poverty line is diminishing. The proportion was 80 per cent in 1995, but had fallen to 65.4 per cent by the end of 1996.

158. While average incomes have increased, the pattern of income distribution has also changed. The Gini coefficient, which measures income inequalities, has fallen from 0.58 (1995) to 0.50 (1996) (it was much lower in 1992-1993, at 0.30-0.35), indicating that the sharp differences in incomes are starting to diminish.

159. Nevertheless, most of the population is still unable to pay for electricity, gas, water and other communal services. The energy crisis and the regulated distribution of electricity are causing serious difficulties. People are in effect deprived of central heating, while alternative, commercial heating sources entail additional expense and are in effect unaffordable to the low-income strata.

160. The most vulnerable social groups have been identified. These are pensioners living alone, invalids, students, the unemployed, people unfit for work, large families and families with missing members. The extremely poor also include people on fixed incomes; workers in budget-financed organizations in the educational, scientific, cultural and arts fields; engineers, teachers, professors and lecturers at research and educational institutions.

The right to adequate food

161. Georgia is undergoing a deterioration in the food supply, owing largely to the fall in volume of farm produce and food within the country and the limited potential for importing food. Only a small part of its requirements for basic foodstuffs was met from domestic production in 1996: 2.5 per cent of the grain it needed, 41 per cent of the eggs, 1 per cent of the granulated sugar, 28 per cent of the milk, 0.3 per cent of the vegetable fats, 0.06 per cent of the meat, 1.7 per cent of the butter, etc.

162. The sharp fall in farm output and exceptionally low wages and monetary incomes have brought about a significant decline in consumption of farm produce per head of population. The quantity of food has diminished; the quality has declined. In 1995, for example, per capita consumption of meat and meat products was down, by comparison with 1989, from 41 kg to 12.1 kg (down 71 per cent); of milk and milk products, from 322 litres to 98 litres (70 per cent); of eggs, from 144 to 66 (54 per cent); of sugar, from 21 kg to 6 kg (71 per cent); and of vegetables, from 82 kg to 61 kg (26 per cent).

163. The proportion of protein in food intake has fallen markedly. In 1995 it was down to 44 grams, from 77 grams in 1989; animal protein intake was down from 30 to 13 grams.

164. Consumption of cereals and potatoes has remained more stable. Consumption of cereals and cereal products in 1993 was 187 kg, and of potatoes, 32 kg. Cereal consumption per capita in 1993 was only 1 kg down

on 1989, and potato consumption was down by 3 kg. The decline in consumption of these foodstuffs was more pronounced in 1995, with per capita consumption of 153 kg of cereals and cereal products and 27 kg of potatoes for the year.

165. Calculation of an official poverty line began in Georgia in 1992. It was based on a definition of a basket of goods and a minimum consumer budget laid down in Committee on Socio-economic Information order No. 52 of 21 July 1992. Since 1 January 1996, the official poverty level and the subsistence minimum have been calculated using a monthly minimum basket of goods essential for survival (Cabinet of Ministers resolution No. 668 of 18 October 1995, on the method used to calculate the subsistence minimum). The Subsistence Level (determination) Act, which is based on the above method, took effect on 9 May 1997.

166. The subsistence minimum is calculated by the State Department of Socio-economic Information. It is assumed that spending on food represents a fixed percentage of overall expenditure over a lengthy period. Consumer research in 1995 showed this figure to be 70 per cent. Information on food prices is gathered from monthly data and multiplied by the appropriate coefficient to yield a figure for non-food expenditure. The minimum food requirement is calculated for the average consumer, due allowance being made for the requirements of men fit for work and the effects, for families of various types, of living together.

167. On December 1996 figures, the subsistence minimum for a man fit for work was 104.4 lari; the corresponding figure for the average consumer was 91.6 lari, and for the average (i.e. four-person) family, 181.6 lari.

168. Georgia has not recently conducted any systematic research into the extent of hunger or malnutrition. Only in the summer of 1996 was the typical consumption of food (the "consumer food basket") of 1,205 families investigated (research done by L. Dershem, D. Gzirishvili, A. De Ros and D. Vinekamp). It took as a benchmark for a satisfactory basket "consumption of potatoes, or kidney beans, or buckwheat, meat, vegetables and cheese at the very least 1-3 times a week". Standard demographic types of urban and rural dwellers, districts and families were compared.

169. According to the study, only 23 per cent of families have a consumer basket worth 5-7 points on a seven-point scale. There are sharp differences in the value of the basket, depending on population type. For example, 81 per cent of rural families have a basket rated by the research method at 4 points, whereas only 65 per cent of urban families do.

170. The proportion of families with "good" baskets varies from region to region. In Guria, Ajaria, Kaxethi and Mingrelia, most families have "good" baskets, i.e. the population suffers least from food shortages. The situation is not so good in Inner Kharthli, Lower Kharthli or Imerethi. Insufficient food is reported by 17.8 per cent of families in towns, and 4.8 per cent of families in the countryside. Families consisting of young couples or of two or more couples have "good" baskets of notably high value. The lowest values are found among families consisting of spouses on pensions, single people or single relatives.

171. According to the research findings, 86.8 per cent of the families (1,046) are headed by a man and 13.2 per cent (159) by a woman. Applying the criterion of a "good" food basket to these findings, it transpires that three times as many families experience food shortages when the head of the family is female as when the head is male.

172. In order to ensure - within the country's limited means - that they have adequate food, aid (in kind and in cash) from the central and local budgets is made available to the socially unprovided-for and underprivileged strata of the population. Between 1990 and 1995 local budgets provided aid to invalids from the Great Patriotic War, people with work-related injuries in categories I and II, disabled children, single parents, families with many children, the families of war victims and families that had lost their breadwinners.

173. A substantial part of this aid came in the form of goods received from foreign countries, chiefly as humanitarian assistance.

TABLE 9

DISTRIBUTION OF HUMANITARIAN FOOD AID BY POPULATION GROUP, 1995
(data from the International Humanitarian Aid Coordinating Office, Tbilisi)

Social group	Socially least well provided-for strata	Total quantity of aid (kg)	Quantity of aid (per cent)
Displaced persons	288 764	11 707 204	30.82
Communal feeding centres	68 892	1 622 908	4.27
Children's institutions	60 685	1 461 123	3.85
Patients	23 765	572 174	1.51
Pensioners	280 280	5 544 414	14.60
Large families	27 139	1 099 965	2.90
Children under 5	171 651	4 132 825	10.88
Pregnant and nursing women	38 108	917 531	2.42
Disabled children	5 137	27 715	0.07
Single mothers	8 469	67 965	0.18
Refugee host families	12 940	69 813	0.18
Families without breadwinners	5 668	157 674	0.42
Socially unprovided-for groups	296 514	5 949 268	15.66
Other	114 653	4 647 905	12.24
TOTAL	1 402 665	37 978 483	100

174. Under Cabinet of Ministers resolutions Nos. 48 (18 January 1992), 128 (6 February), 290 (10 March) and thereafter, agrarian restructuring in Georgia began with the transfer to the general public, without payment, of State-owned land. The Land for Farming (ownership) Act was passed by resolution of Parliament on 22 March 1996; it made plots of land that were transferred to families and land which they had legitimately used before 1992 their private property. By October 1996, approximately one million Georgian families had become the owners of 712,400 hectares of farmland (24 per cent of all the farming land in the country). Of this, 397,200 ha were arable land (52 per cent of the total), 186,800 ha were perennial plantations (61 per cent), 47,100 ha were meadowland (32 per cent), and 81,000 ha were grazing land (5 per cent). Altogether 330,000 urban families were given allotments totalling 69,000 ha (an average of 0.21 ha per family). No land was privatized in Abkhazia or South Ossetia.

175. The Land for Farming (ownership) Act permits land to be leased. Leasehold arrangements in agriculture are also governed by the Land for Farming (leasing) Act, passed by resolution of the Georgian Parliament on 28 June 1996.

176. Since the latter Act was passed, 35,000 individuals have taken leases on 118,800 ha of farm land (an average of 34 ha per person); 974 bodies corporate have leased 177,300 ha (an average of 181 ha per corporation). There remain a further 1,980,200 ha, of which 83 per cent consists of natural meadowland. Titles to and leases on land continue to be granted.

177. The legal right to own land is being strengthened. By a resolution dated 14 November 1996, the Georgian Parliament passed the Land Registration Act. An open system of land registration is being set up throughout the country. All restrictions on land use (apart from those imposed for environmental protection purposes) have been lifted.

178. The current changes have transformed the industrial and social structure of farming. In 1996, 92 per cent of farm output came from the private sector, and this was of significant help in ensuring that families had enough to eat.

179. At this point, serious financial resources are needed to enliven the privatization process, and it is planned to secure these chiefly in the form of foreign investment and assistance from international organizations. The international organizations are being asked to pursue a qualitatively different policy in Georgia. In part, the idea is that resources obtained from the monetization of humanitarian assistance should be used to provide loans and grants to the private sector.

180. Donor countries' food-aid policy has undergone a change, turning into a policy of assistance targeted on the development of the agro-industrial complex. Reference should be made here to the TACIS project, which has enabled efficient use of European Union funds to be made in the grain sector. Under this project, some 13.9 million lari were made available for grain production, marketing and processing in 1996-1997, financing the planting of maize and wheat on 23,800 ha of land which are expected to yield 59,440 tonnes of output. Additionally, funds advanced to purchasing agencies will enable them to procure 32,000 tonnes of wheat and 5,300 tonnes of wheat flour.

181. Despite difficult climatic conditions, Georgia's grain output increased over the year by 124,000 tonnes; wheat production rose by 130,000 tonnes, or 120 per cent. Vegetable output also rose (by 72,000 tonnes), as did milk (by 100,000 tonnes) and meat (by 26,000 tonnes). Altogether, output of farm produce rose by 6 per cent.

182. The Government made available special, preferential credits (6 million lari) for the procurement of grapes in 1996, and this enabled the volume of grapes bought in to be increased from 38,000 to 60,000 tonnes, activating capacity at wineries.

183. Credit unions are now being set up with assistance from international organizations. Such a union is in operation in the Signaxi district; it has received an advance of 235,000 lari from cooperation funds. Four more unions are planned for the current year.

184. To improve the food supply, specific farming programmes concerned with grain, potatoes, soya, vegetable crops, sugar beet etc. are being drawn up on orders from the President. One example of a successful social security programme comes from the painless liberalization of prices for cereal products, which did not provoke a domino-effect rise in prices but did put an end to the shortage that had existed for several years.

185. Georgia has a central administrative body, the State Standardization, Metrology and Certification Department, which inspects mass-market goods, including food, for quality. It coordinates the certification of conformity to safety requirements. Specially accredited laboratories and inspectorates belonging to a number of Government departments check the quality of goods proposed for retail sale. The Ministry of Trade and Foreign Economic Relations, for example, has a special quality inspectorate dealing with imported goods (mainly food), and the Ministry of Agriculture and Food has an inspectorate for cereal products.

186. Over the past two years Georgia has taken a number of steps to improve the regulation of foreign trade in food, as recommended by the international financial organizations. Among other things, export quotas were abolished in 1995, and it was decided in 1996 to reduce to a minimum the lists of goods whose export is subject to licence or banned. For instance, exporting milk and milk products, meat and meat products, grain, rice, flour and sugar was prohibited between 1992 and 1996, whereas now the list of non-exportable items includes no foodstuffs whatsoever. Mandatory registration of contracts has also been abolished.

187. To boost output, including farm output, the Customs Duty Act and the Legislation Regulating the Georgian Tax System (amendment) Act were passed in late 1996; these have significantly reduced excise duties and cut customs tariffs from 12 per cent to 5 per cent on some imported raw materials, pharmaceutical products and agricultural pesticides. In accordance with chapters 84, 85 and 90 of the Trade Nomenclature for Foreign Economic Activities, basic imported assets are exempt from value-added tax.

The right to adequate housing

188. According to figures for 1 January 1991 from the Georgian State Department of Socio-economic Information, the country's housing stock at that time amounted to 101,824 million m^2. Of that stock, 50.117 million m^2 were in towns and urban-type settlements, and 51,707 million m^2 were in rural areas.

TABLE 10

GEORGIA'S HOUSING STOCK
(distribution among owners)

	Total area (000 m^2)	As percentage
TOTAL	101 825.5	100
of which:		
State-owned	27 118.5	26.6
Cooperative	4 084.5	4
Privately owned by members of the public	70 621.5	69.4

189. There were around 129,000 families listed as waiting for an apartment before 1992 (as many as 900 families had been on the list since before 1965). For the most part they were the victims of war or of work-related injuries, the families of people who had died in the war, sick or disabled people, large families, single mothers and other representatives of the socially unprovided-for strata (families with less than 4 square metres of living space per capita were listed).

190. Before 1992, housing for people on the waiting list was built largely with State investment and the resources of cooperative housing funds. These added the following to the nation's housing stock:

in 1986, 1,129,700 of living space;

in 1987, 1,248,500;

in 1988, 1,134,400;

in 1989, 792,000;

in 1990, 540,300; and

in 1991, 978,000.

Hence up to 14,000 families on average were given new, well-appointed apartments every year.

191. In towns and urban-type settlements, the availability of amenities within the housing stock was as follows:

piped water, 97.5 per cent;

sewerage, 96.7 per cent;

bathroom, 86.2 per cent;

hot water, 55.5 per cent;

gas, 86.0 per cent;

electric stove, 12.8 per cent.

192. The total housing stock worked out to 18.8 square metres per head of population: 16.6 square metres in the towns, 21.6 square metres in rural areas. This figure, however, already failed to reflect the real status of the housing stock since at the time up to 1 million square metres was antiquated and dangerous, and 20 million square metres-worth of apartments needed major repairs.

193. The figures above relate to the situation in 1991. The natural disasters (earthquakes, floods, avalanches), military conflicts, and the fuel/energy crisis that have struck the country since, the depreciation and decay of utility networks and structures through standing idle and lack of maintenance, together with a range of other subjective and objective circumstances, have adversely affected the quality of the housing stock and left it in still worse condition.

194. Finding housing for the victims of natural disasters and conflicts has become especially difficult. By 1994, 31,252 of the 108,042 destroyed or damaged homes in Georgia had been repaired and brought back into use; 77,790 remained unrestored. There were plans to earmark 1 million lari in the 1996 budget (500,000 lari for Abkhazia and 500,000 for South Ossetia) to rebuild houses in former conflict zones, but this was very little in relation to actual needs.

195. Owing to the armed conflicts in the regions of Abkhazia and South Ossetia, 80,000 displaced families have been left without a roof over their heads. They have mostly been housed in temporary shelters, where on average they have less than 3 square metres of living space per person.

196. Although during the transitional period housing was privatized and in effect handed over to the population free of charge, the halt in housing construction left a significant segment of young families without apartments of their own, obliging them to live with their parents. As a result, more and more families are living in unsatisfactory conditions.

197. The sharp fall in housing construction by the State and the accompanying growth in private construction for well-to-do sectors of the population has made housing more expensive generally, putting it practically out of reach for the poorly-off majority.

198. Since 1992, virtually no housing construction financed by centralized State investment has taken place if one disregards investment in the building of homes for those left homeless by the military action in Tbilisi in late 1991-early 1992.

199. The cut in State financing for water quality control and the sewage system has led to interruptions in drinking-water supplies, even when rationed. As a result there is a growing risk of epidemics, which so far have successfully been avoided.

VIII. Article 12

The health of the Georgian population

200. Radical changes in Georgia's political system and socio-economic foundations have brought about a crisis in the health-care system. Because of the difficult socio-economic situation, the country has reduced State grants for the upkeep and development of the system over the past five to seven years by over 95 per cent. The result has been a significant decline in demographic indicators.

201. Infant mortality in 1990 was three times as high in Georgia as in Western Europe (17.8 per 1,000 births). By 1993-1994 the situation was worse still: infant mortality had risen by 13 per cent, to 21.4 per 1,000 live births. Neonatal mortality also rose during the period, because of the growing number of births at home. The mortality index is 20 times as high as in the advanced countries (approximately 39.0 per 100,000). The infant and maternal mortality figures for 1995-1996 are thought to be incorrect, given the absence of full statistics from the regions.

202. Deaths from cardiovascular disorders have increased by 35 per cent. Mortality in all age groups has risen by 18 per cent. The increase in diseases posing a threat to society (tuberculosis, mental illness, venereal diseases, etc.) is especially alarming.

203. The political and economic crisis and the sharp rise in the numbers of people displaced from areas of ethnic conflict have disrupted vaccination schedules for children and adolescents, leading to an explosion in epidemics of diphtheria and other dangerous infections. The incidence of intestinal infections, botulism, bronchial typhus, hepatitis, rabies and tetanus has increased.

204. For want of health-care facilities, immunizations among the general public and free supplies of insulin to diabetics have in practice been maintained thanks to humanitarian aid.

National health-care policy

205. Georgia is a member of the World Health Organization, to which it has repeatedly submitted reports.

206. Under the Government's crisis-relief programme, the Georgian health-care system began to be reoriented on 10 August 1995 (see annex). While the

strategy was being worked out, account was taken of recommendations by experts from the international organizations (WHO, the World Bank, the International Monetary Fund, etc.) which have provided long-term loans on preferential terms to support the reforms. Substantial help with the reforms has been given by the Governments of the United States, Germany and Japan. A range of other international programmes (with assistance from UNICEF, USAID, the International Red Cross and so forth) are at work in the context of the reform.

207. The objective of the reorientation is the optimal development of the health-care industry in a market-economy setting.

Legal underpinnings for the new health-care system

208. Parliament has passed seven pieces of legislation: the Blood Donation and Components Act (21 March 1995); the Psychiatric Care Act (21 March 1995); the Human Infection with HIV (AIDS) (prevention) Act (21 March 1995); the Medical Tax Act (21 March 1995); the Manufacture and Sale of Products Injurious to Health (taxation) Act (4 April 1995); the Medicines and Pharmaceutical Activities Act (17 April 1995); and the Medical Insurance Act (18 April 1997).

209. The President has issued several decrees regulating the reorientation process. It is common knowledge that human and civic rights were grossly violated in psychiatric institutions during the Soviet period. The Psychiatric Care Act narrowly regulates this field in full accordance with the principles and norms of international law.

210. Under the Act, anyone diagnosed with a "psychiatric illness" and given psychiatric care (a "patient") enjoys all the same constitutional rights as other citizens unless he or she is legally pronounced incompetent. Patients are guaranteed:

- humane treatment: anything demeaning human dignity is prohibited;
- therapy subject to minimum constraints, using methods developed by the Ministry of Health;
- the right to refuse treatment, if they are capable of taking a rational decision;
- the right to be assisted by a lawyer (except in cases where their mental state makes this an impossibility);
- the right to lodge complaints and make applications to judicial and State bodies and public organizations, and to have a psychiatrist present when legal questions are discussed;
- the right to take part in elections and engage in independent economic activity, and to dispose of their property;
- the right to social security of all kinds (article 3.2).

211. Partial restrictions on patients' rights are permitted only if the patient is legally found to be not responsible for his actions or mentally incompetent (article 4.1).

212. If there is no other way of helping the patient or protecting those nearby from dangerous conduct, a consulting psychiatrist may for a limited period apply physical restraint to a patient in a residential institution. Such methods may be used only with the consent of the consulting or duty physician, and the reasons for doing so must be entered in the case history. Using physical restraint or medicinal products to punish or intimidate patients is not permitted (article 13.1-3).

213. Management of the health-care system has been transferred to municipal authorities, and district management centres have been set up. The country has been divided into 14 districts (including Tbilisi and Phothi).

214. The State Health Care Fund was set up in 1995 for the principal purpose of financing the most important State health-care programmes. Health-care organizations and their staff are paid according to the amount and quality of the work they do. The Fund has now turned into a State-owned medical insurance company (see annex).

215. The orientation of the health-care system is changing, from extremely specialized in-patient care to preventive and primary health care (see annex).

216. Functions have been divided between the Public Health Department and the Department of State Health and Hygiene Standards (health inspections are carried out in accordance with established health regulations and standards (see annex).

Insurance

217. The Medical Insurance Act regulates the legal, economic and organizational underpinnings of public medical insurance cover, and makes provision for both mandatory and voluntary forms of insurance.

218. Mandatory medical insurance extends to all Georgian citizens and stateless persons living permanently in Georgia, and is provided through a programme of compulsory State insurance. This guarantees coverage of the costs of medical care under the corresponding State programmes.

219. Voluntary insurance covers the costs of care under duly registered non-State programmes that have been appraised by experts. Georgian citizens and stateless persons have their cover guaranteed under the mandatory medical insurance. Foreign citizens living and working in Georgia join the State insurance system unless otherwise provided by international agreement. Everyone living in the country is entitled to take out voluntary medical insurance.

220. Under their medical insurance, anyone living in Georgia is entitled, within the terms of his insurance contract, to choose his doctor and health-care institution and to receive all the care covered by the insurance

programme, regardless of how much he has actually contributed towards it. Anyone living in Georgia is entitled to bring an action for damages against a health-care institution or insurer.

221. The State Medical Insurance Corporation was founded in 1996. It deals with mandatory medical insurance. Over the past year the Corporation has put into effect a supplementary assistance programme for the poor. About 93,000 people were given "poor" policies in 1996. Some 825,494 lari (8.9 lari - $7 - per head) were paid out for medical care for persons in this category, in addition to the universal, guaranteed medical care. Roughly 7,000 insurance claims were settled last year.

222. Since 1 March 1997, the Corporation has been running six State programmes (tuberculosis, psychiatry, treatment for infants under one year, midwifery, medical care for the poor and preventive and therapeutic care for cancer patients). Insurance in 1996 only covered in-patient care, but in 1997 it also covers a limited volume of out-patient care. If the resources can be found, the first thing to be expanded will be out-patient care.

223. A national medication policy has been drawn up on the basis of WHO recommendations. A law governing medicines and pharmaceutical activities has been passed.

224. A programme of privatization for health-care institutions has been drawn up. Pharmacies and ear, nose and throat clinics are being privatized. The privatization of other institutions is proceeding according to schedule.

Accreditation and licensing

225. Rules and conditions governing medical care and accreditation and licensing standards have been drawn up. Altogether 905 State and private care-providers have registered and received accreditation.

226. Medical institutions are now being licensed, and a licensing council has been set up for the purpose. Applications for licences to pursue medical activities have been submitted, according to June 1997 figures, by 100 institutions.

227. At the same time, higher and specialized secondary medical teaching institutions, both State-owned and private, are being certified and accredited by an ad hoc commission established by joint order of the Ministries of Health and Education.

228. The certification of higher medical teaching institutions (Georgia has 58) is complete; the accreditation procedure is continuing. The certification and accreditation of the specialized secondary institutions is proceeding in parallel, and will be complete by 1 June 1988. Regulations on the certification and licensing of senior and middle-level medical and pharmaceutical personnel have been prepared.

229. A bill on medical training has been drafted. The underlying concept is that of continuous medical training. Higher medical training institutions are undergoing certification and accreditation. Medical staff are trained

according to an established list of specialities and stages of instruction of specified duration. The country's higher medical training institutions are to be split up into two-stage and three-stage establishments. Instruction at a two-stage establishment will last five years (instruction in basic and clinical skills); at a three-stage establishment it will last seven years (instruction in basic and clinical skills, and a two-year general residency).

230. The principle of financing science by grants has been introduced. Applications for grants have been accepted since September 1996. From the 309 proposals received, 62 have been selected.

231. A system of indicators meeting international standards has been developed. The tenth version of the International Classification of Disease (ICD-10) has been translated into Georgian and readied for publication. It is intended to move to the new classification as of 1999.

TABLE 11

HEALTH-CARE BUDGET OUTLAYS
(1990-1996)

Year	GNP (millions of lari)	Amount spent on health care (lari)	Georgian population (millions)	Amount spent on health care (%)	Amount per capita
1990	9 620	4.5	5.421	0.05	0.83
1991	10 100	7.8	5.420	0.08	1.44
1992	2 980	3.57	5.447	0.12	0.65
1993	1 120	7.0	5.429	0.63	1.29
1994	1 190	4.3	5.407	0.36	0.79
1995	3 700	11.9	5.408	0.32	2.20
1996	5 400	22.5	5.368	0.42	4.16
1997 (planned)	7 100	63.0	5.368	0.89	11.64

Note: $1 = 1.3 lari.

232. Medical care was financed out of district and municipal budgets as well as State budget outlays.

Leading health indicators

233. Total population at the beginning of 1996 was 5,368,400. Men: 2,555,400; women: 2,813,000. Mortality per 1,000 inhabitants: 1995, 7.8; 1996, 7.1. Infant (under one year) mortality per 1,000 live births: 1995, 14.4; 1996, 17.4. Number of maternal deaths: 1995, 29; 1996, 24.

TABLE 12

CAUSES OF DEATH

Main categories of ailment	Number of cases	
	1995	1996
Infectious and parasitic	512	446
Malignancies	3 376	3 473
Endocrine	569	450
Psychiatric	44	48
Circulatory system	27 248	23 966
Stomach/intestine	1 436	1 406
Trauma/poisoning	2 101	1 540
Urogenital system	384	322
Respiratory system	740	935

Other indicators

234. According to the latest data, 45 per cent of the population has access to safe drinking water. Immunization figures for children in 1996 were as follows: whooping cough, diphtheria and tetanus, 85.5 per cent, revaccination 91 per cent; measles, 80.8 per cent; tuberculosis, 73.8 per cent; poliomyelitis, 85.7 per cent. Average life expectancy in Georgia is 72.6 years (men 68.7 years, women 76.1 years).

235. The reduction in natural population growth is mainly attributable to the fall in the birth rate. Thirty years ago the fertility rate stood at 23.7 per 1,000 inhabitants; in 1992 it was 14.9. It was 11.6 in 1995, and 11.1 in 1996.

236. The changing demographics has also affected the age structure of the population. The number of elderly people has increased. The size of the population fit for work that is over 40 has also grown.

237. According to 1988 figures, Georgia then had 402 in-patient institutions. No account has been taken of data on Abkhazia or South Ossetia since 1992. The number of in-patient institutions in other parts of Georgia diminished by 60 in 1994-1995 (by 28 the first year, 32 the second). In 1996 the number fell to 265. The number of beds in in-patient institutions has diminished. In 1995 the country had 656.5 beds per 100,000 population; in 1996, it had 502.9. This is down by 23.4 per cent on the 1988 figure.

238. There has been a marked fall in the number of medical establishments of virtually every kind. Hospital clinics are becoming separate institutions or closing. Their numbers had fallen by 1995 (there were 613 in 1988, 502 in 1994, and 185 in 1995). Over the same period the number of paramedical

stations declined by 359, in part because they were amalgamated with rural out-patient facilities. According to the State Department of Socio-economic Information, there are 194 private registered therapeutic institutions.

239. In 1988, there were 23,916 doctors and 50,194 medical staff working in Georgia. By 1994 the former figure had fallen by 1,338 and the latter by 6,878. Compared with 1994, the country had, by 1995, 6 per cent fewer doctors and 11 per cent fewer medical staff. That former indicator declined by 15.7 per cent, and the latter by 27 per cent, in 1996.

240. The number of doctors per 10,000 inhabitants declined over the reporting period from 43.8 to 41.2, and the number of medical staff declined from 84.0 to 74.0. Despite the downward trend, the proportion of medical staff is high in Tbilisi (92.2 per 10,000 in 1994; 88.3 per 10,000 in 1995-1996). In all other parts of the country the proportion is far lower than the national average, varying between 15.3 and 32.0 per 10,000. Georgia had 1,511 midwives and gynaecologists in 1995, and 1,362 in 1996.

241. One of the main thrusts of government policy is to give priority to primary health care, which initially means educating the public about major health problems. The amount of information available to the public has increased significantly thanks to the mass media. Georgian radio and television have special slots in which they promote healthy lifestyles and popularize medical knowledge.

State policy on health care for the unprovided-for

242. The Ministry of Welfare, Labour and Employment has defined the following groups of the poor:

- non-working, unsupported pensioners or families unfit for work, consisting of pensioners (spouses, brother and sister, mother or father with son or daughter) with no legally responsible breadwinner;

- non-working, unsupported families unfit for work, consisting of pensioners with no breadwinner fit for work but with young dependent children;

- single mothers with dependent minor children;

- invalids from the Great Patriotic War.

243. These people are assigned "poor policies" under which they can receive free medical care. The supplementary health-care programme for the poor has a budget of 5,900,000 lari for 1997. Policies have been issued to 180,000 individuals. There is a supplementary programme to provide health care to the poor in high mountain districts, to which 500,000 lari has been allocated for 1997.

244. Maternal and child health is one of the most important features of the State's therapeutic health-care programmes. Georgia also has programmes on psychiatry, phthisiology, analysis of patients with chronic renal

insufficiency, organ transplants, operations for ischaemic heart disease, children's heart surgery, and support for war veterans, for children's homes and for the general public in the event of large-scale natural disasters and emergencies. Diabetics are supplied with insulin free of charge.

245. Much importance is attached to preventive medicine, as is shown by the fact that the State makes appropriations for the following programmes: immunization; epidemiological surveillance of especially dangerous infections and assimilated conditions; prevention of other sexually transmitted infectious diseases; promotion of a healthy lifestyle; AIDS prevention; public information; prevention of drug addiction; prevention of thyroid disease; and investigation of the radiation background.

246. Besides State-run programmes there are also municipal ones for which the local authorities are responsible. They are financed out of local budgets, which must set aside at least 5 lari per head for health care. These resources must then be divided between and transferred to the district or urban health-care funds, as appropriate.

247. It should also be noted that reform is proceeding against a background of grave social losses: the existing programmes to assist the unprovided-for among the population do not do away with the problems, as numerous sociological surveys attest. A World Bank study carried out in nine districts of Georgia in October to December 1996 showed that medical care was beyond the means of the overwhelming majority of the population. If a family member falls seriously ill, the family is constrained to sell the household property and take on debts they often cannot repay. The situation has become particularly difficult in rural areas. Those surveyed were of the opinion that the fees for medical care were out of all proportion to people's real incomes.

State policy on environmental protection

248. Until recently, environmental protection in Georgia was governed by Soviet legislation. Since Georgia began to create its own, independent legislation it has passed seven acts to do with environmental protection, regulating a variety of specific problems concerned with the protection of flora and fauna, environmental impact statements and so forth.

249. One law worthy of note is the Environmental Protection Act of 10 December 1996, one main objective of which is to defend the human right in environmental matters that is laid down in the Constitution: the right to live in a healthy environment (article 37.3).

250. The Act defines basic ecological concepts and fundamental environmental principles. It states that citizens have the following rights:

- to live in safe, healthy surroundings;
- to take advantage of the environment;
- to be given full, objective and timely information about the state of the environment in which they live and work;

- to receive instruction in ecology;

- to join public environmental organizations;

- to participate in discussions and important decisions on environmental protection;

- to apply through the courts for annulment of decisions to site, plan, construct, rebuild or operate environmentally dangerous facilities;

- to seek compensation for losses occasioned by any failure to comply with environmental protection legislation.

251. "Principal Features of the Reorientation of the Georgian Health-care System" (Tbilisi, 1996) is annexed for further information.

IX. Article 13

252. Georgia's education policy starts from the assumption that everyone is entitled to an education and that education should be directed towards the all-round development of the individual, affirmation of his or her merits, and the inculcation of respect for human rights and freedoms. Education must offer the individual the opportunity to live and work in a free society, and must foster mutual understanding, tolerance and friendship among peoples and racial, ethnic and religious groups.

253. The right provided for under this article is guaranteed by the Georgian Constitution (article 35), which states that:

(a) Everyone is entitled to receive an education and choose what form it shall take;

(b) The State shall ensure that educational programmes are in conformity with international rules and standards;

(c) Pre-school education shall be provided by the State. Primary education shall be compulsory. Basic education shall be provided at the State's expense. Citizens may, within established limits and subject to the procedure laid down by law, receive secondary, vocational and higher education at State institutions of learning;

(d) The State shall, subject to the procedure laid down by law, support educational institutions.

254. Since 1995, Georgia has been carrying out a programme of reform of its education system. The underlying principles of this are: a single educational space; education and upbringing in a spirit of humanism; respect for common human and national traditions; autonomy of the education system; the systematic, uninterrupted, gradual and successive nature of education; democratism; and the independence of education from political and religious associations.

255. The programme covers the following kinds, stages and levels of education:

(a) Pre-school education;

(b) Basic education, comprising elementary and basic education;

(c) Secondary education, comprising: primary general education (6 years); basic general education (9 years); secondary general education (12 years);

(d) Vocational training, comprising: instruction in a trade; primary vocational training; secondary vocational training;

(e) Higher education, including preparation for bachelors' and masters' degrees; and

(f) Postgraduate education.

256. Basic education (9 years) and training at specialized secondary and vocational/technical institutions is provided free of charge. Payment has been introduced for the tenth and eleventh grades of schooling, but the State meets the full costs of education for no less than 30 per cent of the pupils in these grades. A variety of benefits are being introduced for members of the socially unprovided-for strata.

257. The Georgian Parliament has passed an Education Act which reflects and expands upon the main tenets of the reform. Among other things, it makes provision for a gradual switch (by 2003) to secondary education financed entirely by the State. Higher education is also generally accessible: everyone may attend, free of charge, in accordance with their abilities and inclinations. A certain proportion of students are given grants as an incentive.

258. The language of instruction is Georgian and, in Abkhazia, Abkhaz. For citizens whose native language is not Georgian the State may, on the recommendation of the local organs of self-government, enable educational institutions to be set up where instruction is given in their mother tongue.

259. The curriculum allows for the existence of non-State-run educational institutions, which are accorded the same rights as State-run ones. There is a general procedure governing the licensing, certification and accreditation of educational institutions. This is an innovation over the traditional education system.

260. Financially, the concept of State procurement has been introduced into the education sector: the State finances educational programmes at all levels. Fee-paying instruction and other activities are permitted at State-run educational institutions; the profits are at the disposal of the respective institutions' administrations.

261. The principle of equality and accessibility is maintained in Georgia at various levels of education: this is one area where no one is unprovided-for. The literacy rate is 99.8 per cent.

262. Georgia's pre-school education system has 1,322 institutions with a total enrolment of 80,200. At present the country's 3,151 primary, incomplete secondary and secondary general schools are attended by 709,450 pupils. Of these, 360,743 are boys and 348,707 are girls.

263. The State's 27 higher educational institutions are attended by 85,021 students, 54,115 of them taking daytime courses, 2,577 taking evening and 28,329 taking correspondence courses. Of the students, 44,485 are male and 40,536 female.

264. Spending on education in 1995 represented 3.21 per cent of the central budget and 23.58 per cent of local budgets; the corresponding figures for 1996 were 3.9 per cent and 29 per cent.

265. Georgia has 13 specialist schools offering intensive training in particular disciplines (enrolment 7,458, teaching body 747). These are situated in Tbilisi, Khuthaisi (district), Bathumi, Ch'iathura and Zugdidi. There are three writing schools in the capital (enrolment 1,846, teaching body 203). The country also has 43 high schools and 27 lyceums with a total student complement of 37,840.

266. Georgia has 756 primary schools (17,816 pupils). Twenty-seven of them are in urban areas (4,338 pupils) and 729 in rural districts (13,816 pupils). Thirty-six primary schools have six pupils or fewer; 149 have between 6 and 10 pupils.

267. The primary schools employ 16,448 teachers, of whom 12,779 have had a specialized higher education, 1,856 a specialized secondary education and 327 a secondary education. Owing to a lack of staff in the high mountain districts, teaching in the primary schools there continues to be given by non-specialists and people with a secondary education.

268. During the academic year 1995-96, there were 33 night schools (5,170 students) functioning in Georgia. Forty-five general secondary schools had an evening division (1,464 students). Enrolment in evening classes was 6,634 students, of whom 1,336 were under 15, 3,905 were between 16 and 17, 1,298 were between 18 and 29, and 95 were over 30. Georgian students numbered 5,987, Russians 544, Azerbaijanis 103; there were 2,128 female students, and 4,506 male.

269. The number of schools with a working evening division fell by 36 in the academic year 1996-97. As a result, total enrolment in evening classes fell by 1,188. The reason was a lack of finances. One new night school opened.

270. The Ministry of Education system includes eight kindergartens and three boarding schools for orphans and children bereft of parental care (enrolment 1,300 - 610 boys and 690 girls). The children's status is as follows: orphans, 55; lacking a mother, 51; lacking a father, 106; children of single mothers, 185; children of prisoners, 48; children of sick

parents, etc., 85; children from forcibly displaced families, 200. As regards their nationalities, 839 are Georgians, 70 are Russian, 41 are Armenian, 29 are Azerbaijani, 14 are Ossetians and 9 are Ukrainian.

271. Georgia has 21 special day and boarding schools for children with a variety of physical and mental disabilities (enrolment 2,374). Here, too, there are serious problems, making it urgently necessary to set up vocational training institutions for children leaving these schools; to open special boarding schools for children suffering the sequelae of poliomyelitis and cerebral palsy; to set up a reintegration scheme for them; and to provide schools for the blind, deaf and hard-of-hearing with special apparatus and teaching materials.

272. Georgia has a well-developed system of specialized and vocational secondary education where young people are given a general secondary education besides their vocational training. For example, the country's specialized secondary educational institutions, affording training in 306 skills for 32 different economic sectors, had an intake in 1996 of over 6,000 students. Also in 1996, some 11,005 students entered vocational colleges where they are being taught 101 different skills.

273. Many problems have accumulated, however, in this education system. It has not been possible, for lack of funds, to renew and maintain the physical facilities and equipment, and qualified engineering and technical staff are in short supply. Links with the productive sector have been weakened by the constant enforced stoppages, temporary closings and so forth.

274. Georgia has Russian, Armenian, Russo-Armenian, Russo-Azerbaijani, Russo-Ossetian, Russo-Georgian, Georgian-Armenian, Georgian-Azerbaijani, Armenian-Azerbaijani, Georgian-Russian-Armenian, Georgian-Russian-Ossetian and Russo-Armenian-Azerbaijani schools. Figures for the academic year 1996-97 indicate that 104 schools and 129 divisions (46,897 pupils) are Russian-speaking; 133 schools and 22 divisions (27,894 pupils) are Armenian-speaking; 160 schools and 8 divisions (42,513 pupils) are Azerbaijani-speaking; and 3 schools and 9 divisions (266 pupils) are Ossetian-speaking.

275. The procedural requirements for setting up national schools are the same as for setting up a Georgian-speaking one. The main problem is supplying them with qualified teaching staff, since the arrangements under which they used to be trained (mainly at higher educational institutions on commission from the Ministry of Education) no longer exist. Efforts to resuscitate them are in progress.

276. National schools are experiencing shortages of Georgian language and literature teachers. They do not have textbooks on Georgian history or geography, language or literature; nor do they have teaching aids. The textbooks and curriculums for national schools are printed in neighbouring States. Because of financial difficulties, they are not managing to be collected and transported.

277. There are Russian divisions at all higher educational establishments in Georgia; instruction at the teacher-training university is also given in Armenian and Azerbaijani.

278. Commercial teaching establishments began to open in 1991, after the Supreme Council passed a resolution bringing regulations on fee-paying teaching establishments into effect. The regulations were not backed up by standards, and the result was an unwarrantedly fast and disorderly increase in the number of such establishments.

279. To bring some order into the proceedings, the Parliament rescinded the regulations in 1994 and passed another decision, on non-State-run civic teaching establishments in the Republic of Georgia. Regulatory instruments governing the licensing, accreditation and certification of teaching establishments were drawn up, but were not ratified because the then Parliament had reached the end of its term.

280. The opening of non-State-run educational institutions is now governed by the Business Activities Act, which makes registration of such institutions subject to a court decision. The Ministry of Education's licensing commission issues a licence to operate after the founding documents have been duly appraised. Tuition fees at paying educational establishments are set by the principals and vary widely (between 200 and 1,500 lari per year). There is no set salary scale for teachers.

281. Under parliamentary resolution No. 435 of 17 March 1994, non-State-run civic teaching establishments have the same rights as State-run institutions. Experience shows, however, that there is an imbalance in favour of the State-run institutions.

282. The number of pupils who dropped out of school for any reason in the academic year 1995-96 was 4,912 - 0.72 per cent of the total. Altogether 417 pupils from grades 5 to 9 took jobs; 290 of them continued to study at night school, while 127 abandoned their schooling. Among tenth and eleventh-graders, 1,081 took jobs; 783 of them have continued to study at night school, and 298 have abandoned their schooling. For various reasons (sickness, moving abroad, untimely death), 785 pupils in grades 1 to 4, 1,982 in grades 5 to 9 and 2,145 in grades 10 and 11 ceased to attend school.

283. Georgia's special educational institutions and children's camps hold 57 inmates in the fifth to ninth grades and 14 in grades 10 and 11.

284. A common problem throughout the educational system in Georgia is the extremely unsatisfactory situation as regards physical facilities, caused by inadequate finances. There is a significant shortage of teaching materials and textbooks. The energy crisis has meant that school premises have been left unheated during the cold period of the year, and this has led to a fall-off in attendance among pupils and teaching staff, and sometimes even to the interruption of classes. The individual programmes to heat school buildings now being put into effect cannot be regarded as an efficient response to the situation.

285. Teachers receive State-guaranteed social security and benefits in a variety of forms. Pedagogical workers are entitled to a six-hour working day, a shortened working week and long paid vacations. They can expect to attend refresher courses at least once every five years.

286. Schoolteachers' wages are raised periodically. In 1995, depending on category, they ranged between 3.9 and 5.4 lari; on 1 January 1997 they ranged between 26.5 and 31.1 lari. The range of categories occupied by skilled staff in the education system runs from 7 to 17 points on the single wage grid for budget-financed organizations. Accordingly, wages for pedagogical workers in all categories range from 24.4 to 50.0 lari, and for ancillary staff, from 13.8 to 26.6 lari.

287. Delays in payment of teachers' wages have become chronic. Teachers are also dissatisfied with their wage levels, which represent only a tiny fraction of the subsistence minimum, and with the fact that teaching staff were heavily cut as part of the educational reforms. Shortcomings in the system and lapses in the certification exercise being conducted by the Ministry of Education are attracting criticism from a certain section of the teaching community.

288. Given current levels of insolvency among the general public, the fees charged for tenth- and eleventh-grade schooling, which are comparable to an average monthly wage in the budget-financed sphere, make it hard to exercise the right to a complete secondary education.

289. The Ministry of Education has designed 22 programmes to ensure that the reform of the education system goes ahead, using credits extended by the World Bank. A project worth $2.5 million has been submitted to the Japanese International Cooperation Agency for funding. Georgia has an agreement with the Agency to conduct $9 million-worth of restoration, construction and repairs on educational facilities. UNICEF has provided $1 million to support the educational reforms.

X. Article 15

290. In culture and science policy, the State takes as its starting point the notion that everyone is entitled to enjoy the achievements of science and culture and to be creative, and that science and culture must serve the all-round development and reinforce the qualities of the individual, inculcating respect for human rights and freedoms. It is the mission of culture and science to enable individuals to live in a free society, and to foster mutual understanding, tolerance and friendship among peoples and racial, ethnic and religious groups.

291. The rights covered by this article are guaranteed under the Constitution, article 34 of which says that the State shall foster the development of culture and unrestricted participation in cultural life, the expression and enrichment of cultural distinctiveness, the acknowledgment of national and universal human values and the strengthening of international cultural bonds. Every Georgian citizen is required to uphold and preserve the cultural heritage, which is protected by law.

292. Article 38 of the Constitution states: "Citizens of Georgia shall be equal in cultural life irrespective of their language, nationality, or ethnic or religious origins. In accordance with the principles and standards of international law, they shall be entitled to develop their own cultures freely without any discrimination or interference, and to use their native languages in their personal and public lives."

293. Article 23 guarantees freedom of intellectual creativity and the inviolability of intellectual property rights. Interference in the creative process and censorship of creative activities are prohibited. Creative works may not be seized or barred from distribution unless they impinge upon other people's legitimate rights.

294. Under article 24 of the Constitution, everyone is entitled to receive and disseminate information freely, and to express his or her opinion orally, in writing or in any other manner. The mass media are unrestricted. Censorship is prohibited.

295. Personal property and non-property rights arising out of the creation and use of scientific, literary or artistic works (copyright) are protected by the Civil Code (book IV). Copyright subsists in any such work, regardless of its purpose, genre, scientific nature, extent, merits, form or means of expression. Copyright subsists in both published and unpublished works that exist in any objective form. The author of a work is considered to be the individual through whose intellectual and creative efforts it came into being.

296. The author or other holder of copyright has exclusive title to the use of the work in any form and by any means. Exclusive title to the use of a work means the right to engage in, permit or prohibit: reproduction of the work; distribution by any means of the original or copies of the work: sale, rental etc.; the import for distribution of copies of the work, including copies produced with the consent of the author or holder of copyright; public demonstration of the work; public use of the work; and public broadcast of the work over the airwaves or via cable transmission systems etc.

297. The law protects the inviolability of the work and its author's name both during the latter's lifetime and after his death. If the author or his successors suffer as a result of a breach of copyright, they may on their own initiative seek redress.

298. Breaches of copyright are fairly common in Georgia. The information media often publish or broadcast works without their authors' knowledge. Copyright is also breached at concerts. This results from the absence of implementing regulations to enforce copyright in practice.

299. The legislative underpinnings of cultural life in Georgia are largely at the development stage. So far the only law passed is the Librarianship Act, which regulates the main aspects of library management and library relations between individuals and bodies corporate in accordance with the standards of international law.

300. A bill on culture has been drafted and has had two readings in the Parliament; it is intended to become the basis for Georgia's cultural policy.

and help to promote observance of human rights and freedoms and preserve the cultural distinctiveness of the country's national minorities. Bills on the preservation and use of the cultural heritage and on the transport of valuable cultural objects into and out of the country have also been drafted.

301. There is a State Culture Fund, financed out of the Republic's budget, of which it represented 0.68 per cent in 1996 (5,368,950 lari or $4,161,976). In the view of the Georgian Ministry of Culture, this is below the minimum necessary to sustain and develop the existing cultural infrastructure.

302. Besides the State Culture Fund there are cultural development funds taking a variety of legal forms which enjoy the status of public associations. Their contribution to sustaining and developing cultural life is negligible.

303. Georgia has a significant cultural infrastructure which enables it to promote to the full the enjoyment of the rights set forth in this article of the Covenant. There are in operation 43 theatres: 3 opera houses, 30 for stage plays, 6 puppet theatres, 2 theatres for young audiences, 1 musical theatre and 1 pantomime theatre.

304. There are 25 concert organizations, and 4,480 cultural and educative institutions, including 104 museums, 2,250 libraries, 1,805 clubs and similar institutions and 21 parks. Georgia has 4 higher and 21 secondary educational institutions specializing in the performing and creative arts, and 294 music and art schools.

305. The grave economic crisis has, however, made it difficult for cultural centres to operate effectively. The cultural infrastructure has shrunk by 30-40 per cent overall. Examples of this adverse development (see table):

TABLE 13

SHRINKING CULTURAL INFRASTRUCTURE IN GEORGIA

	1990	1996
Clubs and similar institutions	2 100	1 690
Popular theatres	54	29
Cultural and leisure parks	29	21
Amateur performing societies	600	308
Museums	123	104

306. Library attendance fell off noticeably in 1992-1993. It rose by 30-40 per cent between 1994 and 1996, however, owing to an increase in teaching institutions of various kinds in towns and district centres; additionally, a large part of the population cannot afford to buy books and periodicals so they go to the library.

307. Since 1993, the country's museums have not been allocated any resources for acquisitions or for housekeeping and exhibition needs. Beginning in 1992, virtually all activities at clubs and similar institutions tended to fall off. Things have picked up somewhat since 1994, especially in clubs focusing on particular pursuits.

308. The State is making an effort to rectify the situation. For instance, a decree by the Head of State has for a limited period accorded professional theatres preferential treatment and the right to engage in commercial activities (which budget-financed organizations are by law not allowed to do), in order to encourage their activities. Three Tbilisi-based academic theatres have been allocated additional funds by the municipal authorities in the capital.

309. Georgian cinema, which is renowned, has found itself in difficulties. This is chiefly due to the rising costs of film production, problems with rentals and a sharp drop in cinema audiences. In part this is the result of video piracy, which has become widespread. Commercial and State-run television channels and many cinemas deluge their viewers with unlicensed video productions, for the most part commercial and of no great artistic merit, that exalt violence and sex.

310. The lack of proper legal underpinnings makes it difficult to preserve cultural monuments. The number of touring shows and exhibitions in the country has declined sharply, in part owing to the lack of resources in local budgets. Difficult material conditions in the cultural sphere have forced many people in creative professions to go abroad or change career.

311. One key facet of cultural policy is that of giving effect to ethnic minorities' cultural rights and supporting the preservation of their cultural heritage. To this end, the Georgian Ministry of Culture has set up a special service and established a public council on which representatives of cultural organizations from a variety of national minorities serve.

312. Russian, Azerbaijani, Armenian and Kurdish cultural and charity centres operate in the capital, and there is also Caucasus House, which promotes the culture of the peoples of the Caucasus.

313. Unfortunately, the general economic crisis has adversely affected the activities of the minority-culture infrastructure and the support - especially physical support - it receives from the State.

314. The State actively takes advantage of the possibilities afforded by the mass media to apply its cultural policy, organizing festivals, competitions, exhibitions and so forth. Special, permanent slots have been introduced into the broadcasting schedule for promoting masterpieces of world culture on the television and radio. Specialist publications are appearing in print: Muza, the Ministry of Culture's newspaper, Khudozhnik ("The Artist"), the paper of the Union of Artists, Muzyka, the paper from the Composers' Union and Iskusstvo ("Art"), the journal of the Ministry of Culture.

315. Georgia has a well-developed infrastructure of scientific establishments. The Academy of Sciences system alone has 54 research institutes. In past years, research centres have had at their disposal a panoply of physical, technical and experimental facilities and the necessary raw materials and equipment. Twenty-six research institutes had their own manufacturing bases.

316. Since 1992, however, the science sphere has been facing a crisis. Most of the buildings and facilities used for science and research are in need of major repairs, and the technical facilities available are not up to the demands of present-day science. Appropriations for science have been cut sharply owing to the economic crisis. The assets at many scientific centres have been squandered, and this too has sharply curtailed the opportunities for proper scientific work.

317. The general crisis in the economy and in science itself has broken the links with production, and the applied sciences have fallen into decline.

318. The country is experiencing difficulties in training scientific workers, especially in the natural sciences, owing to inadequate funding which has resulted in experimental facilities becoming physically and morally run-down. Salaries for science workers are low (up to 60 lari - $46 - for a Doctor of Science), as are student grants (9 lari - $7). Grants and salaries, moreover, tend to be paid irregularly. It has become impossible to publish even abstracts of the works submitted for appraisal before candidates defend their dissertations. After completing their aspirantura (PhDs), therefore, candidates competing for the higher qualification must wait 3-4 years before they have the opportunity to defend their dissertations. Many well-known academics have left the country because of physical difficulties, and some have been obliged to change careers.

319. Efforts to popularize the achievements of science and technology have come to a virtual halt. "Atinathi", a popular academic science series for children, has ceased publication, and the journal Nauka i tekhnika ("Science and Technology") appears with long interruptions. Individual publications on scientific subjects in the electronic and conventional press appear irregularly: they tend to use foreign material.

320. The lack of any legislation defining State policy on science and the training of science workers is a significant problem.

321. At the same time, the State is taking action to preserve and expand its scientific traditions and support widely-known scientific schools. The Academy of Sciences was allocated 13,400,000 lari in 1997, twice as much as in 1996. The increased financing was possible, in part, thanks to grants from various international funds (2 million lari). The subsidies were directed in the main towards improving the physical facilities for scientific research.

322. In recent years, Georgian experts have been taking a more active part in joint international projects. In 1997 alone, they participated in joint projects with experts from France, Italy, Greece, Switzerland and Germany.

323. With assistance from the "Georgia - Open Society" Fund, many Georgian academics have attended international conferences abroad. Some 60 did so in 1996.

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